



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03.12.2021

PRESENT

The Hon'ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD). No.19067 of 2021

WEB COPY

RAGU @ RAGUPATHI

... PETITIONER/1ST ACCUSED

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.625 OF 2021).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.K.Mahendran
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

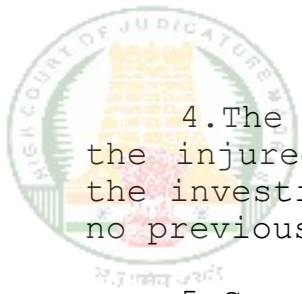
For Bail in Crime No.625 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/1st accused, who was arrested and remanded to judicial custody on 06.11.2021 for the offences punishable under Sections 294(b), 352, 324 and 307 IPC in Crime No.625 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to family dispute between the petitioner and the de-facto complainant, who is the father of the petitioner, on 06.11.2021, the petitioner along with his brother went to his father's house and demanding Aadhaar Card, Ration Card and House tax receipt for the purpose of college admission. When his father refused to give the above said documents, the petitioner and his brother attacked the de-facto complainant and caused injury. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and that he has been falsely implicated in this case. He would further submit that the co-accused has already been granted anticipatory bail by the Sessions Court and that the petitioner is in judicial custody from 06.11.2021. Hence, he seeks bail.



4.The learned Additional Public Prosecutor would submit that the injured person has been discharged from the hospital and that the investigation is not yet completed. He would further submit that no previous case is pending against the petitioner herein.

5.Considering the facts that there existed family dispute between the parties, that the injured was already discharged from the hospital, that except the offence under Section 307 IPC, all other offences are bailable in nature, that the petitioner is not having any previous case for similar or serious offence, that the co-accused had already been granted anticipatory bail by the Sessions Court and also the fact that the petitioner is in judicial custody from 06.11.2021, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of thirty days and thereafter, as and when required for interrogation.

iii)the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.
 2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 3. THE OFFICER-INCHARGE,
DISTRICT JAIL, PUDUKOTTAI.
 4. THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.MAHENDRAN, Advocate (SR-8785[I] dated 03/12/2021)

ORDER
IN
CRL OP(MD) No.19067 of 2021
Date :03/12/2021

sjj
USK/PN/SAR-III/(03.12.2021) 3P-7C