



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/01/2022

PRESENT

The Hon'ble Mrs. Justice R. THARANI
CRL OP(MD). No.1313 of 2022

WEB COPY

SABEER AHAMED

... PETITIONER/ACCUSED NO.2

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
PALAKARAI POLICE STATION,
TRICHY CITY.
(CRIME NO.782 OF 2021).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.Karunakaran.K.M, Advocate.
For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.782 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2 herein, who was arrested on 24.12.2021 for the alleged offence under Sections 294(b), 323, 324 and 506(ii) of IPC altered into Sections 294(b), 323, 324, 506(ii) and 307 of IPC in Crime No.782 of 2021, on the file of the respondent police, seeks bail.

2.The allegation against the petitioner is that on 22.12.2021 at about 11.15. p.m., when the defacto complainant along with his friends consumed alcohol near the railway line, the petitioner along with other accused questioned him, abused in filthy language, assaulted and threatened him with dire consequences. Hence, a case in Crime NO.782 of 2021 has been registered.

3.On the side of the petitioner it is stated that it is a false case. The complainant is a rowdy element. He is a history sheeted rowdy. Victim was discharged from the hospital. There is no previous case pending against the petitioner and prayed the petitioner to be released on bail.

4.On the side of the respondent, it is stated that the petitioner and others attacked the complainant with iron rod and the victim was discharged from the hospital and prayed the petition to be dismissed.



5.It is seen that the victim was discharged from the hospital. The petitioner is in custody for the past 32 days. Considering the period of incarceration and the nature of offence, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Trichy and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of thirty days.

sd/-
25/01/2022

/ TRUE COPY /

25/01/2022
Sub-Assistant Registrar (C.S-III)
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 NO.V, TRICHY.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
PALAKARAI POLICE STATION,
TRICHY CITY.
4. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1313 of 2022
Date :25/01/2022

USK/VR/SAR-III/25.01.2022/2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>