



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.2035 of 2022

Joshwa ... Petitioner/Accused No.1

Vs

The State Rep. By
The Inspector of Police,
Vallam Police Station,
Thanjavur District.
(Crime No.20/2022).

... Respondent/Complainant

For Petitioner : M/s.A.Arunprasad
Advocate.

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.side)

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

PRAYER :-

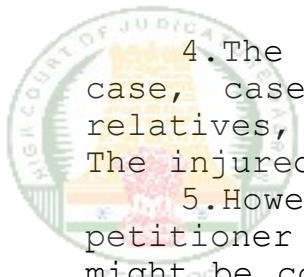
For Bail in Crime No.20 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 10.01.2022 for the alleged offence under Sections 147, 148, 294(b), 324 and 307 and Section 4 of Women Harassment Act in Crime No.20 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that it is a dispute between close relatives. There is a civil dispute pending between the parties and regarding that issue, this dispute has arisen. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. A case in Crime No.21 of 2022 has been filed against the defacto complainant for the same dispute.



4.The learned Government Advocate would submit that this is a case, case in counter, arose between the parties who are close relatives, regarding the pendency of a civil dispute between them. The injured has been discharged from the hospital in both the cases.

5.However, considering the duration of custody underwent by the petitioner and by this time, the major portion of the investigation might be completed and the fact that it is a case, case in counter, this Court is inclined to grant bail to the petitioner with stringent conditions. The petitioner has to file an undertaking affidavit that he will not indulge in such an illegal activities in future. If any case is registered after grant of bail by this Court, the relief of bail granted to the petitioner will automatically get cancelled.

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.II, Thanjavur, and on further condition that the petitioner shall report before the respondent police once in 15 days at 10.30 a.m. until further orders.

sd/-

02/02/2022

/ TRUE COPY /

02/02/2022

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 No.II, Thanjavur.

2.Do Through the Chief Judicial Magistrate,
Thanjavur at Kumbakonam.

3.The Inspector of Police, Vallam Police Station,
Thanjavur District.

4.The Superintendent of Prison, Sub Jail, Pabanasam,

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.2035 of 2022

Date :02/02/2022