



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.2092 of 2022

WEB COPY

1. Thangapandi
2. Surya

... Petitioners/Accused Nos.3 & 4

Vs

The State Rep. By,
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No. 5 of 2022).

... Respondent/Complainant

For Petitioners: M/s.Ananda Raj.A,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For the Bail in Crime NO.5 of 2022 on the file of the Inspector of Police Sivakasi East Police Station, Virudhunagar District.

ORDER : The Court made the following order :-

The petitioners/Accused No.3 & 4 herein, who were arrested on 06.01.2022 for the alleged offences under Sections 147, 341, 342, 294(b), 323 and 506 (I) of IPC @ 147, 341, 342, 294(b), 323, 506(I) and 307 of IPC, in Crime No.5 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 01.01.2022, at about 12.30 a.m, when the petitioners along with other accused persons celebrating the eve of new year, the son of the defacto complainant walking on the side. The petitioners said to have waylaid him and abused him with filthy language and also assaulted him with hands. Hence, this complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners were arrested and remanded to judicial custody from 06.01.2022. Ever since, they are in custody. Hence, he prays to grant of bail to the petitioners.



4.The learned Government Advocate (Crl.Side) submitted that there was a trouble arose between two groups of people on the eve of the celebration of new year on 01.01.2022. In this occurrence, none was injured and no previous case is pending against the petitioners.

5.Considering the period of incarceration and also considering the fact that the petitioners are not having any bad antecedents and none was injured in the occurrence, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.2, Sivakasi, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
03/02/2022

/ TRUE COPY /

/ /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.2 SIVAKASI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT.
3. THE OFFICER-INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.
4. THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.2092 of 2022
Date :03/02/2022