



WEB COPY

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.2116 of 2022

Rajesh

... Petitioner/Accused No.4

Vs

State rep.by
The Inspector of Police,
Pattukkottai Taluk Police Station,
Thanjavur District.
(Crime No.638 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Antony Arulraj.T., Advocate.

For Respondent : M/s.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.638 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4 herein, who was arrested on 24.11.2021 for the alleged offence under Sections 294(b), 341, 395 and 506(2) of IPC, in Crime No.638 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 22.11.2021, at about 08.00 p.m, when the defacto complainant was returning from TASMACHOP shop, the petitioner along with others said to have waylaid the defacto complainant and demanded money from him. When the same was refused by him, the petitioner and others snatched his bike and threatened him with dire consequences. Hence, this complaint.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was arrested and remanded to judicial custody on 24.11.2021. Ever since, he was in custody and even in the FIR, the petitioner's name was not mentioned. Hence, he prays to grant of bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that there was trouble between the defacto complainant and the petitioner, when both of them returning from the TASMACH Shop. It appears that in drunken mood, trouble arose between the parties. The earlier bail petition filed by the petitioner came to be dismissed by the learned Principal Sessions Judge, Thanjavur, on 17.01.2022, on the ground that there is serious injuries caused on the vital part of head of the defacto complainant and the defacto complainant took treatment for more than 14 days.

5.Considering the period of incarceration and also considering the fact that the major portion of the investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner with stringent 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, Pattukottai, and on further condition that the petitioner 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.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dss

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.



1. THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3. THE OFFICER INCHARGE,
DISTRICT JAIL, THANJAVUR.

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. ANTONY ARULRAJ.T. Advocate SR.No.4018

ORDER
IN
CRL OP(MD) No.2116 of 2022
Date :03/02/2022

SP/PN/SAR I/04/02/2022/3P/7C