



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.2260 of 2022

WEB COPY

Muneeswaran

... Petitioners/Accused No.2

Vs

The State Rep. By,
The Sub Inspector of Police,
Sethur Rural Police Station (OP),
Virudhunagar District.
(Crime No.191/21).

... Respondent/Complainant

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

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

PRAYER :-

For bail in Crime No.191 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 31.12.2021 for the alleged offence under Sections 294(b), 323, 324, 506(ii) IPC and Section 4 of TNPHW Act @ 307 of IPC, in Crime No.191 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity with regarding to pathway, on 26.12.2021, at about 11.00 a.m, the petitioner along with others said to have assaulted the defacto complainant with wooden log and threatened him with dire consequences and caused injuries to him. 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 from 31.12.2021. Ever since, he was in custody and hence, he prays to grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner is having 2 previous cases. Which involves criminal intimidation. The injured has been seriously attacked by the accused and sustained fracture in his leg and took treatment for a period of



15 days. It appears that there is a pathway dispute between the defacto complainant and the accused persons. The weapon that has been used in the occurrence is wooden log.

5. Considering the period of incarceration and also the considering the fact that even though the defacto complainant/injured sustained fracture, now, he was discharged from the hospital, 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, Rajapalayam, 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.)
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, RAJAPALAYAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT.
3. THE OFFICER-INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.
4. THE SUB INSPECTOR OF POLICE,
SETHUR RURAL POLICE STATION(OP),
VIRUDHUNAGAR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.2260 of 2022
Date :03/02/2022