



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 08.02.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.2337 of 2022

WEB COPY

Manoj @ Manoranjith

... Petitioner

Vs

State represented by its
The Inspector of Police,
Vengamedu Police Station,
Karur District.
(Crime No.156 of 2019)

... Respondent

For Petitioner : Mr.K.Sivabalan,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

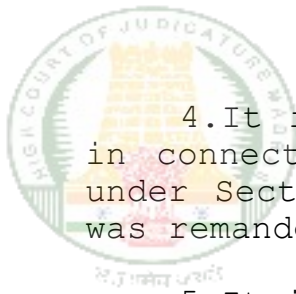
For Bail in Crime No.156 of 2019 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 02.08.2021 for the offences punishable under Sections 294 (b) and 302 IPC, in Crime No.156 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 07.07.2019 at about 05.00 p.m., the petitioner and one Sridhar extorted money from one Mannahasi, which was, questioned by the defacto complainant and in turn, the petitioner and another accused scolded the defacto complainant in filthy language and that was informed to the defacto complainant's brother-in-law and he searched the accused and that thereafter, on 09.07.2019, the petitioner and another accused attacked the defacto complainant's brother-in-law. Hence, the complaint.

3.It is not in dispute that in the case registered in Crime No.156 of 2019, the petitioner was granted statutory bail in CrI.M.P.No.4602 of 2019 vide order dated 17.10.2019 imposing certain conditions.



4.It is evident that subsequently, the petitioner was arrested in connection with Crime No.500 of 2021 for the alleged offences under Sections 341, 323, 336 and 506(ii) IPC and on 02.08.2021, he was remanded to judicial custody.

5.It is further evident from the order passed in CMP.No.1065 of 2021 dated 11.08.2021 by the learned Judicial Magistrate No.I, Karur, that since the petitioner has not appeared for the hearing on 30.07.2021 in PRC.No.05 of 2020, NBW was ordered to be issued and considering the representation made by the prosecution that though the petitioner has violated the conditions imposed for granting of bail, the learned Magistrate was inclined to cancel the bail that was granted in CMP.No.4602 of 2019 dated 17.10.2019. The petitioner has challenged the above order for cancellation of bail in Crl.R.C. (MD)No.675 of 2021 and this Court, vide order dated 02.12.2021, has dismissed the revision and directing the petitioner to file a fresh bail petition before the trial Court.

6.The learned counsel for the petitioner would submit that in pursuance of the direction of this Court, the petitioner has filed a bail petition before the trial Court in Crl.M.P.No.2092 of 2021 and the same was ordered to be dismissed.

7.The learned Additional Public Prosecutor would submit that the petitioner is having so many previous cases.

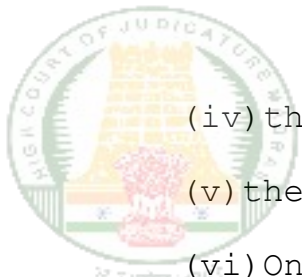
8.Considering the facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 02.08.2021 and also the fact that the petitioner was already granted bail in connection with Crime No.500 of 2021, this Court is inclined to grant bail to the petitioner subject to the following conditions:

9.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Karur District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the Vilupuram Town Police Station daily at 10.30 a.m., until further orders.

(iii)the petitioner shall report before the Judicial Magistrate No.I, Karur, in PRC.No.05 of 2020 for all the hearings date without fail.



(iv) the petitioner shall not tamper with evidence or witness.

(v) the petitioner shall not abscond during trial.

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

(vii) If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

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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.I, KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.

3 THE INSPECTOR OF POLICE, VENGAMEDU POLICE STATION, KARUR.

4 THE INSPECTOR OF POLICE, VILUPURAM TOWN POLICE STATION, VILUPURAM.

5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-896[I] dated 08/02/2022)

ORDER IN

CRL OP(MD) No.2337 of 2022

Date :08/02/2022