



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

Date : 14.02.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

WEB COPY

CRL OP(MD) . No.2852 of 2022

Muruganantham

... Petitioner/Accused No.1

Vs

The State represented by
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.16 of 2022)

... Respondent/Complainant

For Petitioner : Mr.B.MAHENDRARAJAN,
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.16 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A.1, who was arrested and remanded to judicial custody on 22.01.2022 for the offences punishable under Sections 294(b), 307 and 506(2) IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.16 of 2022, on the file of the respondent police, seeks bail.

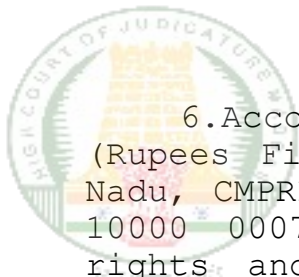
2.The case of the prosecution is that the petitioner and other accused have harassed the defacto complainant's sister and when the defacto complainant questioned the same, they attacked the defacto complainant with knife. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not been committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor would submit that the injured was already discharged from the hospital.

5.Considering the fact that the injured was already discharged from the hospital and also taking note of the fact that the petitioner is in judicial custody from 22.01.2022, this Court is inclined to grant bail to the petitioner subject to the following conditions:

<https://hcservices.ecourts.gov.in/hcservices/>



6. Accordingly, the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate, Paramakudi.

7. On production of such receipt/acknowledgment, 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, Paramakudi.

(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 respondent police daily at 10.30 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial;

(v) 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]***.

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

sd/-

14/02/2022

/ TRUE COPY /

14/02/2022

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, PARAMAKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3 THE SUPERINTENDENT
CENTRAL JAIL, MADURAI.

4 THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO:

THE OFFICER INCHARGE,
GOVERNMENT OF TAMIL NADU,
CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT, CHENNAI-9.

ORDER

IN

CRL OP(MD) No.2852 of 2022

Date :14/02/2022

SA/VR/SAR.4/14.02.2022/3P/7C