



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/03/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.4381 of 2022

A.Muthuramalingam

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District.
(Crime No.21 of 2022).

... Respondent/Complainant

For Petitioner : M/S.A.ARUL JENIFER,
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.21 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 21.02.2022 for the offences punishable under Sections 294(b), 353, 332 and 307 IPC, in Crime No.21 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that when the petitioner/accused was sitting in the staircase attached to the police station, he was pushed down. Due to that, the petitioner threatened the people by using knife and the police officials has tried to hold him, he caused stab injury on the hand of the defacto complainant. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is not mentally alright and that since the petitioner was sitting in the staircase attached to the police station, he was pushed down by the police officials and when he was attempted to question the same, the defacto complainant has lodged the above complaint implicating the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner attacked the Grade-II constable and caused severe injuries.



5.The learned counsel for the petitioner has produced the medical records (i.e.,) prescription and the lab report and except the above, he has not produced any medical certificate or records to show that the petitioner is suffering from mental disability.

6.Whatever it is, considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 21.02.2022, that the injured was already discharged from the hospital and that the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.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, Aranthangi.

(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 Inspector of Police, Pudukkottai Town Police Station, daily at 10.30 a.m., for a period of thirty (30) days, thereafter as and when required for interrogation;

(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/-

07/03/2022

/ TRUE COPY /

07/03/2022

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.

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



TO

1 THE JUDICIAL MAGISTRATE
ARANTHANGI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL,
PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
PUDUKKOTTAI TOWN POLICE STATION
PUDUKKOTTAI

ORDER

IN

CRL OP(MD) No.4381 of 2022

Date : 07/03/2022

SA/VR/SAR.3/07.03.2022/3P/7C