



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/03/2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . Nos.4465 and 4475 of 2022

1. Thangadurai

2. Arumugam

... Petitioners/Accused No.1 & 2
in CrI.O.P.(MD)No.4465 of 2022

3. Sathishkumar

4. Arun

... Petitioners/Accused No.4 & 5
in CrI.O.P.(MD)No.4475 of 2022

Vs

State rep.by

The Inspector of Police,

Lalgudi Police Station,

Trichy District.

(Crime No.52 of 2022)

... Respondent/Complainant
in both petitions

In both the petitions:

For Petitioners: M/s.R.Mohanasundaram,
Advocate.

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

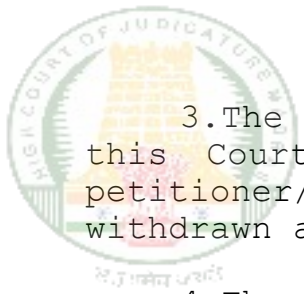
PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :- For Bail in Cr.No.52/2022 on the file of the Respondent of Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A1, A2, A4 and A5, who were arrested and remanded to judicial custody on 10.02.2022 for the offences punishable under Sections 294(b), 341, 506(ii), 364(A), 147, 148, 120-B, 149 and 323 of IPC in Crime No.52 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 09.02.2022, one Karthick Kumar was coming in a car, at that time, the petitioners waylaid the said Karthick Kumar at knife point and also kidnapped him along with the car. Hence, the complaint.



3.The learned counsel for the petitioners seeks permission of this Court to withdraw this petition in respect of the first petitioner/A1 is concerned. Hence, this petition is dismissed as withdrawn as against the first petitioner/A1 is concerned.

4.The learned counsel for the petitioners would further submit that they are innocents and they are no way connected with the alleged occurrence.

5.The learned Additional Public Prosecutor would submit that no one was seriously injured in this case and that the petitioners 2 to 4/A2, A4 and A5 are not having any bad antecedents.

6.Considering the nature of charges levelled against the petitioners 2 to 4/A2, A4 and A5 and also taking note of the fact that the petitioners 2 to 4/A2, A4 and A5 are in judicial custody from 10.02.2022 and also the facts that no one was seriously injured in this case, that except the offences under Sections 364(A) and 506 (ii) of IPC, all other offences are bailable in nature and that the petitioners 2 to 4/A2, A4 and A5 are not having any previous case for similar or serious offence, this Court is inclined to grant bail to the petitioners 2 to 4/A2, A4 and A5 subject to the following conditions:

7.Accordingly, the petitioners 2 to 4/A2, A4 and A5 are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Lalgudi.

(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 petitioners 2 to 4/A2, A4 and A5 shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioners 2 to 4/A2, A4 and A5 shall not tamper with evidence or witness;

(iv)the petitioners 2 to 4/A2, A4 and A5 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 petitioners 2 to 4/A2, A4 and A5 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4/A2, A4 and A5 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji**

<https://hcservices.courts.gov.in/hcservices/>
vs. State of Kerala [(2005)AIR SCW 5560].



(vi) If the accused / petitioners 2 to 4/A2, A4 and A5 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/03/2022

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/ /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, LALGUDI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
LALGUDI POLICE STATION, TRICHY DISTRICT.
4. THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI.
5. THE SUPERINTENDENT, CENTRAL PRISON,
TRICHY.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) Nos. 4465 and 4475 of 2022
Date : 09/03/2022

SJI
MS/PN/SAR-1/09.03.2022/3P.7C