



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

Date : 22.03.2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . Nos.5063 and 5065 of 2022

Crl.O.P. (MD)No.5063 of 2022

Akash

... Petitioner/Accused No.4

Vs

The State Rep. By,
The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
(Crime No.580/2021).

... Respondent/Complainant

Crl.O.P. (MD)No.5065 of 2022

1. Ratheesh
2. Maniyarasan
3. Manimaran
4. Surendhran

... Petitioners/Accused

Vs

The State Rep. By,
The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
(Crime No.580/2021).

... Respondent/Complainant

In both petitions :

For Petitioners: Mr.B.Anandan, Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

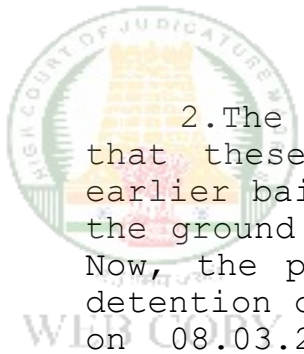
PETITIONS FOR BAIL Under Sec.439 of Cr.P.C

COMMON PRAYER :-

For bail in Crime No.580 of 2021 on the file of the Respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners, who were arrested on 11.07.2021, for the offence punishable under Sections 147, 148 IPC and Section 25(1-A) of Arms Act, in Crime No.580 of 2021, on the file of the respondent Police, seek bail.



2.The learned counsel appearing for the petitioners submits that these bail petitions are filed for the second time. The earlier bail petitions were dismissed by this Court on 13.08.2021 on the ground that the petitioners were detained under Act 14 of 1982. Now, the petitioners moved these petitions on the ground that the detention orders passed against them have been quashed by this Court on 08.03.2022 in H.C.P.(MD)No.1326 of 2021 and in H.C.P.(MD) Nos.1522, 1519, 1540 and 1530 of 2021 dated 09.03.2022. Hence, he prayed for grant of bail.

3.The learned Additional Public Prosecutor, on instructions from the respondent Police, also confirmed the same.

4.Considering the period of incarceration and also considering the fact that the detention orders passed against the petitioners have been quashed by this Court in H.C.P.(MD)No.1326 of 2021 and in H.C.P.(MD)Nos.1522, 1519, 1540 and 1530 of 2021, this Court is inclined to grant bail to the petitioners.

5.Accordingly, the Criminal Original Petitions are ordered. The petitioners are directed 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, Pattukkottai, and on further conditions that:

[a]the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or bank pass book to ensure their identity.

[b]the petitioners shall report before the respondent police as and when required for interrogation.

[c]the petitioners shall not abscond either during investigation or trial.

[d]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/03/2022

/ TRUE COPY /

22/03/2022
Sub-Assistant Registrar (C.S-III)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE,
PATTUKKOTTAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
MADUKKUR POILCE STATION,
THANJAVUR DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) . Nos.5063 and
5065 of 2022
Date :22/03/2022

USK/VR/SAR-III/22.03.2022/3P/6C