



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/03/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.5127 of 2022

Manikandan @ M.C.Mani

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
In Crime No.20/2022.

... Respondent/Complainant

For Petitioner : M/s.INDRACHITHU.T,
Advocate.

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.20/2022 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 26.01.2022 for the offences punishable under Sections 341, 294(b), 387, 307 and 506(ii) IPC, in Crime No.20 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 26.01.2022, the petitioner demanded Rs.500/- from the de-facto complainant for consuming liquor. When the de-facto complainant refused to give the same, the petitioner along with A2 attacked the de-facto complainant with sickle and also abused him in filthy language. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that A2 was already arrested and released on bail by the Principal Sessions Judge, Tirunelveli.

4.The learned Additional Public Prosecutor would submit that the petitioner is having 11 previous cases, out of which, four cases



under 307 IPC and two cases under 302 IPC and that no one was injured in this case.

5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 26.01.2022 and also the facts that no one was injured in this case, that the investigation might have been completed by this time and that the second accused was already released on bail, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 Court No.V, Tirunelveli, Tirunelveli 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 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/-

18/03/2022

/ TRUE COPY /

18/03/2022

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.

TO

1 THE JUDICIAL MAGISTRATE COURT NO.V,
TIRUNELVELI, TIRUNELVELI DISTRICT.

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



2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON,
SALEM, SALEM DISTRICT.

4 THE INSPECTOR OF POLICE
PETTAI POLICE STATION,
TIRUNELVELI CITY.IN

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

+1. CC to M/S.INDRACHITHU.T, Advocate SR.No.13055 (F)

**ORDER
IN**

CRL OP(MD) No.5127 of 2022
Date :18/03/2022

SA/VR/SAR.1/18.03.2022/3P/7C