



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

Date : 23/03/2022

PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD). No.5226 of 2022

Karthikeyan

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu
represented by its
The Inspector of Police,
Lalkudi Police Station,
Trichirappalli District.
(Crime No.52 of 2022).

... Respondent/ Complainant

For Petitioner : Mr.S.Vinodh,
Advocate.

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

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

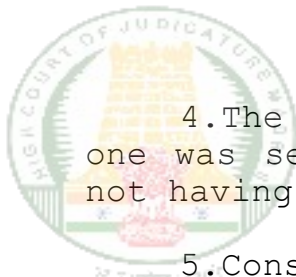
PRAYER :- For Bail in Crime No.52 of 2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to
judicial custody on 09.02.2022 for the offences punishable under
Sections 294(b), 341, 506(2), 364(A), 147, 148, 120-B, 149 and 323
IPC, in Crime No.52 of 2022, on the file of the respondent police,
seeks 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 petitioner and
other accused 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 petitioner would that the
petitioner is innocent and he has not committed any offence as
alleged by the prosecution.



4.The learned Additional Public Prosecutor would submit that no one was seriously injured in this case and that the petitioner is not having any bad antecedents.

5.Considering the nature of charges levelled against the petitioner and also taking note of the fact that the petitioner is in judicial custody from 09.02.2022 and also the facts that no one was seriously injured in this case, that except the offences under Sections 364(A) and 506(2) of IPC, all other offences are bailable in nature and that the petitioner is not having any previous cases for similar or serious offence, 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, Lalkudi, Trichirappalli.

(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/-

23/03/2022

/ TRUE COPY /

/ /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, LALKUDI,
TRICHIRAPPALLI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
LALKUDI POLICE STATION, TRICHIRAPPALLI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5226 of 2022

Date : 23/03/2022

CSM

MS/VR/SAR-4/23.03.2022/3P.6C