



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 05/04/2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.6003 of 2022

1. Kannaiah
2. Dhamodharan
3. Appunathan
4. Muthaiah

... Petitioners/Accused 1 to 4

Vs

The State rep.by,  
The Inspector of Police,  
Aranthangi Police Station,  
Pudukkottai District.  
(Crime No.131/2022)

... Respondent/Complainant

For Petitioner : MR.T.Lenin Kumar,  
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.131 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who were arrested and remanded to judicial custody on 17.03.2022 for the offences punishable under Sections 294(b), 323, 307 and 506(i) IPC, in Crime No.131 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that one Santhakumari, who is working as Inspector of Police, has lodged a complaint before the respondent police stating that on 16.03.2022, one Rasika, wife of the fourth petitioner along with her parents appeared before her for an enquiry, that on summons, the petitioners also appeared before the respondent police for enquiry, that after completing enquiry, a statement was recorded from Rasika, at that time, the petitioners abused the complainant in filthy language and also told her that she was acting in favour of ladies. When the complainant told the



without any discrimination, there was a scuffle between Rasika and the petitioners, for which, the first petitioner pelted a stone against the complainant and thereby, she sustained injuries.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor would submit that the investigation is not yet completed.

5.When the matter is taken up for hearing today, the learned counsel for the petitioners have filed an undertaking affidavits sworn by the petitioners, wherein, the petitioners have expressed their regrets and apology and also undertook that they will not indulge in any such activities in future.

6.Considering the above facts and circumstances and also taking note of the undertaking affidavit given by the petitioners and also the facts that the petitioners are in judicial custody from 17.03.2022 and that the petitioners are not having any previous case for similar or serious offence, this Court is inclined to grant bail to the petitioners subject to the following conditions:

7.Accordingly, the petitioners 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, Aranthangi.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Special Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall stay at Madurai and report before the Inspector of Police, Thallakulam Police Station, Madurai at 10.30 a.m. for a period of 15 days and thereafter, the petitioners shall report before the respondent police daily at 10.30 a.m until further orders;

(iii)the petitioners shall not tamper with evidence or witness;

(iv)the petitioners shall not abscond during trial;

(v)On breach of any of the aforesaid conditions, the learned Sessions Judge/Special 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 Sessions Judge/Special Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR***



(vi) If the accused / petitioners thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-  
05/04/2022

WEB COPY

/ TRUE COPY /

05/04/2022

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,  
ARANTHANGI
- 2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.
- 3 THE OFFICER INCHARGE,  
DISTRICT JAIL, PUDUKKOTTAI.
- 4 THE INSPECTOR OF POLICE  
ARANTHANGI POLICE STATION, PUDUKKOTTAI  
DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:  
THE INSPECTOR OF POLICE,  
THALLAKULAM POLICE STATION,  
MADURAI

+1 CC to MR.T.LENINKUMAR, Advocate ( SR-2929[I] dated 05/04/2022 )

ORDER  
IN  
CRL OP(MD) No.6003 of 2022  
Date :05/04/2022

SJI  
MK/VR/SAR.I/05.04.2022/3P/8C