



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

Date : 11/04/2022

PRESENT

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

CRL OP(MD). No.6737 of 2022

WEB COPY

G.Deepak

... Petitioner/Sole Accused

Vs

The State represented by,  
The Inspector of Police,  
Musiri Police Station,  
Trichy District.  
(Crime No.80 of 2022).

... Respondent/Complainant

For Petitioner : Mr.P.Sivachandran,  
Advocate.

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

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

PRAYER :-

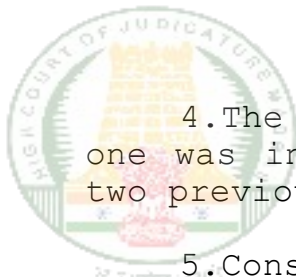
For Bail in Crime No.80 of 2022 on the file of the Respondent Police.

**ORDER :** The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 21.03.2022 for the offences punishable under Sections 294(b), 427, 448 and 506(2) IPC altered into Sections 294 (b), 427, 448 and 506(2) IPC r/w Section 25(1A) of Arms Act, in Crime No.80 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had refused to pay the bill for the snacks he had taken in the defacto complainant's bakery to the tune of Rs.160/- and when the petitioner again came to the defacto complainant's bakery and asked tea, the defacto complainant refused, due to that, the petitioner threatened the defacto complainant by using knife and also damaged the sweet stall worth about Rs.5,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit 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 injured in the incident and that the petitioner is having two previous cases.

5.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 21.03.2022, that no one was injured in the incident and that except the offences under Section 506(2) IPC and Section 25(1A) of Arms Act, all other offences are bailable in nature, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate, Musiri, Tiruchirappalli.

7.On production of such receipt/acknowledgment, 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, Musiri, Tiruchirappalli.

(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., for a period of one month and thereafter as and when required for interrogation;

(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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

11/04/2022

/ TRUE COPY /

11/04/2022

Sub-Assistant Registrar (C.S-II)  
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,  
MUSIRI, TIRUCHIRAPPALLI.
2. DO-THROUGH : THE CHEIF JUDICIAL MAGISTRATE,  
TIRUCHIRAPPALLI DISTRICT.
3. THE INSPECTOR OF POLICE,  
MUSIRI POLICE STATION,  
TRICHY DISTRICT.
4. THE SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO :

THE OFFICER-INCHARGE,  
CHIEF MINISTER PUBLIC RELIEF FUND IN IOB,  
GOVERNMENT OF TAMIL NADU, SECRETARIAT BRANCH,  
CHENNAI-9.

+1 CC to M/s.P.SIVACHANDRAN, Advocate ( SR-3194[I] dated  
11/04/2022 )

ORDER  
IN  
CRL OP(MD) No.6737 of 2022  
Date :11/04/2022

CSM  
USK/PN/SAR-II/11.04.2022/3P/8C