



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

Date : 19/05/2022

PRESENT

WEB COPY

The Hon'ble Mrs.Justice T.V.THAMILSELVI

CRL.OP (MD) .No.7997 of 2022

1. Vinoth @ Vinothkumar
2. Vinayagam @ Vinayagamoorthy

... Petitioners/3rd - 4th Accused

Vs

The State rep.by,
The Inspector of Police,
Kadaladi Police Station,
Kadaladi,
Ramanathapuram District.
Cr.No.260 of 2021.

... Respondent/Complainant

For Petitioners : Mr.S.Anandha Kumar,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.260 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 21.03.2022 for the offences under Sections 147, 148, 294 (b), 302, 323, 324, 506(ii) of IPC r/w Section 4 of TNPHW Act, 2002, in Crime.No.261 of 2021, on the file of the respondent police, seek bail.

2.The case of the prosecution is that there existed dispute between the parties with regard to the taking water to their farm land, that on 27.12.2021, there arose wordy quarrel and consequently, both sides had attacked each other and two FIRs came to be registered on the complaints preferred by the first accused as well as the defacto complainant and that the defacto complainant's father-in-law, who suffered injuries, succumbed to the injuries. Hence, the complaint.



3.The learned counsel for the petitioner submitted that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent police objected for grant of bail and he submitted that the investigation is almost completed.

5.Considering the above facts and circumstances and also considering the fact that the co-accused were granted bail by this Court and that the investigation is almost completed as stated by the learned Additional Public Prosecutor and the petitioners are in judicial custody from 21.03.2022, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.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, Kadaladi.

(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 petitioners shall report before the respondent police on every Wednesday at 10.30 am 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 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].

sd/-

19/05/2022

/ TRUE COPY /

20/05/2022

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

ORDER
IN
CRL OP (MD) No.7997 of 2022
Date :19/05/2022

das
USK/JM/SAR-II/20.05.2022/3P/6C