



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/05/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) . Nos.8768 and 8807 of 2022

1.Mahamuni
2.Chandran
3.Periyasamy

... Petitioners/Accused Nos.1,4 & 5
in Crl.O.P.(MD).No.8768 of 2022

Selvam

... Petitioner/Accused No.6
in Crl.O.P(MD).No.8807 of 2022

Vs

The State rep.by
The Inspector of Police,
Ramjee Nagar Police Station,
Tiruchirappalli District.
(Crime No.96 of 2022).

... Respondent/Complainant
in both Crl.O.Ps

For Petitioners	: Mr.SIVAPRAKASH (In Crl.O.P(MD).No.8768 of 2022)
For Petitioner	: Mr.K.ARUNRAJ (In Crl.O.P.(MD).No.8807 of 2022)
For Respondent	: Mr.A.THIRUVADI KUMAR Additional Public Prosecutor (In both Crl.O.Ps)

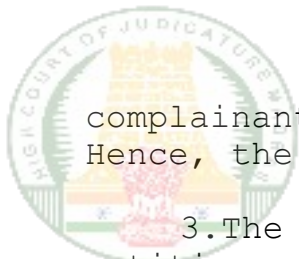
PETITION FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :- For Bail in Crime No.96 of 2022 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners who were arrested and remanded to judicial custody on 05.04.2022 for the offences punishable under Sections 147, 148, 294(b), 427, 324, 307, 506(2) of IPC, in Crime No.96 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to civil dispute, the petitioners along with other accused attacked the defacto



complainant with deadly weapons and caused serious injuries to him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. Based on the false information, the above case was foisted against the petitioners. However, on instruction, he would further submit that the petitioners are ready to pay a sum of Rs.4,00,000/- (Rupees Four Lakhs only) to the defacto complainant without prejudice to their rights.

4.The learned Additional Public Prosecutor would submit that due to civil dispute, the petitioners attacked the defacto complainant and caused grievous injuries to him and also submitted that the petitioners are not having any previous cases.

5.Considering the above facts and circumstances and also the fact that the petitioners are not having any previous cases and also the fact that the petitioners have come forward to pay a sum of Rs.4,00,000/- (Rupees four Lakhs only) jointly, to the defacto complainant, 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.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thiruchirapalli.

(a) The petitioners are directed to deposit a sum of Rs.4,00,000/- (Rupees Four Lakhs only) jointly, to the credit of Crime No.96 of 2022 on the file of the learned Judicial Magistrate No.III, Tiruchirapalli, within a period of fifteen days from the date of receipt of a copy of this order and on such deposit, the learned Judicial Magistrate is directed to disburse the same to the defacto complainant for his medical expenses, failing which the order shall stand cancelled automatically.

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

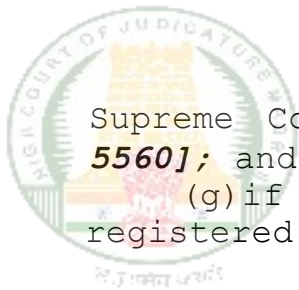
(c)the petitioners shall report before the respondent police daily at 10.30 a.m., and 5.30 p.m, until further orders;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)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

<https://hccs.csis.madras.gov.in> 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]***; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

11/05/2022

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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 NO.III
THIRUCHIRAPALLI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THIRUCHIRAPALLI DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE,
RAMJEE NAGAR POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SIVAPRAKASH.S Advocate SR.No.4610

ORDER

IN

CRL OP(MD) . Nos.8768 and
8807 of 2022

Date :11/05/2022

SA/VR/SAR.4/11.05.2022/3P/7C