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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(CRIMINAL JURISDICTION)

DATE : 05/05/2022

PRESENT

THE HON`BLE MR.JUSTICE M.S.RAMESH

CRL OP(MD) . NO.8696 OF 2022

VINOTHKUMAR

... PETITIONER/ACCUSED NO.5

VS

THE STATE REPRESENTED BY
THE SUB-INSPECTOR OF POLICE,
RAJATHANI POLICE STATION,
THENI DISTRICT.
(CRIME NO.47 OF 2022).

... RESPONDENT/COMPLAINANT

FOR PETITIONER : MR.K.MURUGAN,
ADVOCATE.

FOR INTERVENOR : MR.MAHESWARAN
ADVOCATE

FOR RESPONDENT : MR.A.THIRUVADIKUMAR,
ADDITIONAL PUBLIC PROSECUTOR.

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

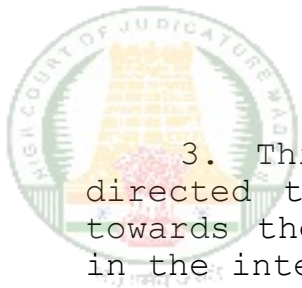
PRAYER :-

For Bail in Crime No.47 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A5, who was arrested and remanded judicial custody on 24.03.2022 for the offences punishable under Sections 147, 148, 447, 427, 294(b), 342, 323 and 506(ii) IPC in Crime No.47 of 2022, on the file of the respondent police, seeks bail.

2. On the basis of the civil dispute, it is alleged by the defacto complainant that the petitioner herein along with others, had damaged about 100 stones, which is alledgedly valued about Rs.1,10,000/-. The petitioner herein has been in custody from 24.03.2022 onwards.



3. This Court is of the view that the petitioner may be directed to pay a sum of Rs.50,000/- to the defacto complainant towards the alleged damage and thereby consider this bail petition in the interest of justice that the matter could be settled.

4. 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, Aundipatti.

(i) the petitioner shall pay a sum of Rs.50,000/- (Rupees Fifty thousand only) to the defacto complainant as a pre condition for grant of bail.

(ii) 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;

(iii) 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;

(iv) the petitioner shall not tamper with evidence or witness;

(v) the petitioner shall not abscond during trial;

(vi) 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]***.

Sd/-
05/05/2022

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05/05/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

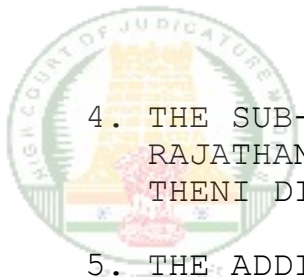
AAV

TO

1. THE JUDICIAL MAGISTRATE,
AUNDIPATTI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3. THE OFFICER INCHARGE,
DISTRICT PRISON,
THENI DISTRICT.



4. THE SUB-INSPECTOR OF POLICE,
RAJATHANI POLICE STATION,
THENI DISTRICT.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.8696 of 2022
Date : 05/05/2022

GC/VRS/SAR-3 (05.05.2022) 3P 6C