



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.8824 of 2022

1. Muthukumar
2. Ponraj

... Petitioners/Accused No.2&3

Vs

The State Rep. By,
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
Crime No.146 of 2022.

... Respondent/Complainant

For Petitioners : Mr.R.L.Dilipan Pandian, Advcoate
for Mr.Arokiya Selva Ramesh,
Advocate.

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.146 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 and 3, who were arrested and remanded to judicial custody on 21.04.2022 for the offences punishable under Sections 294(b), 506(ii) of IPC and Section 25(1A) of Arms Act, 1959 in Crime No.146 of 2022, on the file of the respondent police, seeks bail.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

3.In connection with the altercation that occurred in the toll gate, it is stated that the first accused and the petitioners had threatened the de-facto complainant and others with pistol and air gun. The respondent police have already seized the weapons. No body was injured during the altercation. The petitioners have been arrested and kept under judicial custody from 21.04.2022 onwards.



4. In view of the seizure of the weapons as well as the fact that none was injured during the altercation, this Court is inclined to grant bail to the petitioners.

5. 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 Court, Thirumangalam, Madurai District.

(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 daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

(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 petitioner, 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/-
05/05/2022

/ TRUE COPY /

05/05/2022
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,
THIRUMANGALAM, MADURAI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4. THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.AROKIYA SELVA RAMESH, Advocate (SR-4308[I] dated
05/05/2022)

ORDER

IN

CRL OP(MD) No.8824 of 2022

Date :05/05/2022

sjj

USK/GSV/SAR-III/05.05.2022/3P/7C