



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/05/2022

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PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD). No.8776 of 2022

Jambu

... Petitioner/Accused No.2

Vs

The State rep.by,
The Inspector of Police,
Melur Police Station,
Crime No.177/2022.

... Respondent/Complainant

For Petitioner : Mr.P.Saravanan,
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.177 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 12.04.2022 for the offences punishable under Sections 323 and 353 of IPC and Section 3 of TNMSP @ MSI Act (Prevention of Violence and Damage or loss to the Property) Act 2008, in Crime No.177 of 2022, on the file of the respondent police, seeks bail.

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

3.The case of the prosecution is that the petitioner along with two other accused had caused damages to the machineries and registers in the hospital while quarrelling.

4.According to the petitioner, the quarrel was between the first accused and the third accused, who are his father and father-in-law and he had only acted as a mediating person and had not actually damaged any of the movables of the hospital. The



5. In the light of the above observations and by taking into consideration that the petitioner herein is in judicial custody from 12.04.2022 onwards, this Court is inclined to grant bail to the petitioner/second accused.

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6. 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, Melur.

(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]***.

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,
MELUR.

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

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



3 THE OFFICER INCHARGE,
SUB JAIL, MELUR.

4 THE INSPECTOR OF POLICE
MELUR POLICE STATION, MADURAI DISTRICT.

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

+1 CC to MR.P.SARAVANAN, Advocate (SR-4303[I] dated 05/05/2022)

ORDER
IN
CRL OP(MD) No.8776 of 2022
Date :05/05/2022

SJI/LM
MK/GSV/SAR.III/05.05.2022/3P/7C