



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

Date : 11/05/2022

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) . No.8979 of 2022

1. Muthukazhuvan
2. Muthuamailselvan
3. Karthik Sithan @ Itlikarthik ... Petitioners/Accused
No.A6, A3, A4.

Vs

The State Rep. By,
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District
(Crime No. 147 of 2022). ... Respondent/Complainant

For Petitioners : M/s. Sivaprakash S,
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.147 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A6,3,4 who were arrested on 21.04.2022 for the offences under Sections 147,148,294(b),342,324,307,120(B) of IPC,in Cr.No.147 of 2022, on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to previous enmity the petitioners along with other accused said to have assaulted the defacto complainant with sticks and wooden log. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would also submit that the petitioners are in judicial custody from 21.04.2022, hence he



4.The learned Additional Public Prosecutor would submit that the injured has been discharged from the hospital and no previous case is pending against the petitioners.

5.Considering the nature of the case and considering the period of incarceration and also the fact that the injured has been discharged from the hospital and the fact that no previous case is pending against the petitioners, this Court is inclined to grant bail to the petitioners. 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, Thirumangalam, Madurai District and on further condition that:

(a)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;

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

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

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

(e)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]***; and;

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

sd/-
11/05/2022

/ TRUE COPY /

11/05/2022
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.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE OFFICER-INCHARGE,
SUB JAIL, THIRUMANGALAM.
4. THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 C.C. TO M/S.S.SIVA PRAKASH, ADVOCATE S.R.NO.4611(I), DATE :
11.05.2022.

ORDER
IN
CRL OP(MD) No.8979 of 2022
Date :11/05/2022

aav
USK/VR/SAR-IV/11.05.2022/3P/7C