



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) . No.9016 of 2022

Mohammed Riyashdeen

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Thiruppathur Police Station,
Sivagangai District
(Crime No. 31 of 2022).

... Respondent/Complainant

For Petitioner : M/s.PARANJOTHI.R.,
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. 31 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

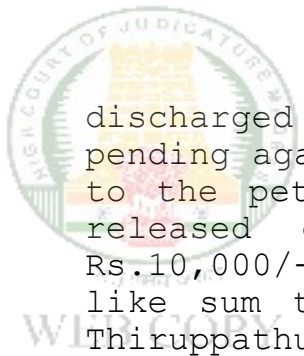
The petitioner/sole accused who was arrested on 26.03.2022 for the offences under Sections 294(b), 506(ii) and 307 of IPC, in Cr.No.31 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity the petitioner abused the defacto complainant in filthy language, assaulted him with knife and also threatened with dire consequences. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would also submit that the petitioners are in judicial custody from 26.03.2022, hence he seeks bail.

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 petitioner.

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 petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruppathur 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 petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(d)the petitioner 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 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]***; 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
THIRUPPATHUR.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE
SUB JAIL,
THIRUPPATHUR

4 THE INSPECTOR OF POLICE,
THIRUPPATHUR POLICE STATION,
SIVAGANGAI DISTRICT

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

ORDER

IN

CRL OP(MD) No.9016 of 2022

Date :11/05/2022

SA/VR/SAR.4/11.05.2022/3P/5C