



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/06/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.9381 of 2022

Ahamed Ali

... Petitioner/Accused Rank Not Known

Vs

The State rep.by
The Sub-Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
Crime.No.339 of 2022.

... Respondent/Complainant

For Petitioner : Mr.AJMALKHAN, Senior Counsel,
for Mr.S.A.S.ALAUDEEN,
for Mr.RAHUL PRIYAN.K.

For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.339 of 2022 on the file of the Respondent police.

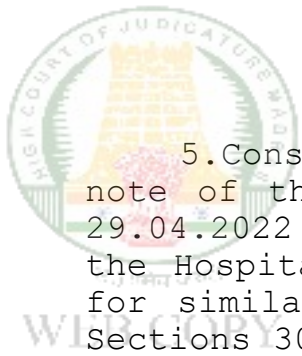
ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 29.04.2022 for the offences punishable under Sections 147, 148, 294(b), 324, 307 and 379 IPC, in Crime No.339 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that when the defacto complainant was standing in front of the tea shop at Ramanathapuram, the petitioner along with other accused came and assaulted him and snatched a sum of Rs.20,000/- from him and caused injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the State would submit that the injured was discharged from the Hospital.



5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 29.04.2022 and also the facts that the injured was discharged from the Hospital, that the petitioner is not having any previous cases for similar or serious offence and that except the offence under Sections 307 and 379 IPC, all other offences are bailable in nature, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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 No.I, Ramanathapuram.

(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., until further orders;

(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]***.

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

09/06/2022

/ TRUE COPY /

09/06/2022

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 NO.I
RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE
SUB JAIL, RAMANATHAPURAM.
- 4 THE SUB-INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.ALAUDEEN.S.A.S Advocate SR.No.24919 **(F)**

**ORDER
IN**

CRL OP(MD) No.9381 of 2022
Date :09/06/2022

SA/PN/SAR.2/09.06.2022/3P/7C