



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/06/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI
CRL OP(MD). No.9773 of 2022

WEB COPY

Loganayagan

... Petitioner/Accused No.19

Vs

State Rep.by
The Inspector of Police,
Thallakulam Police Station,
Madurai District.
Crime No.312/2022.

... Respondent/Complainant

For Petitioner : M/s.A.Manoj Prabakar, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabakar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.312 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.19, who was arrested and remanded to judicial custody on 25.04.2022 for the offences punishable under Sections 341, 294(b), 323, 307, 506(ii) I.P.C and Section 83(ii) of JJ Act in Crime No.312 of 2022, on the file of the respondent police, seeks bail.

2.The case against the petitioner is that due to previous enmity, the petitioner and others attacked the son of the defacto complainant with knife and caused him injuries. A case was registered against the petitioner and others in Crime No.312 of 2022, under Sections 341, 294(b), 323, 307, 506(ii) I.P.C and Section 83(ii) of JJ Act. The petitioner filed a petition for bail in Crl.M.P.Nos.1167 and 1170 of 2022, before the Vacation Sessions Judge, Madurai District. That petition was dismissed by the Sessions Judge. Hence, the petitioner has filed this petition.

3.On the side of the petitioner, it is stated that totally eight accused involved in the case. Injured was discharged from the hospital and co-accused were already released on bail. It is further stated that the petitioner was not present at the place of the occurrence and prayed the petitioner to be released on bail.



4. On the side of the prosecution, it is stated that totally 18 accused involved in the occurrence and the injured was discharged from the hospital. The victim was admitted in the hospital on 16.04.2022 and he was discharged on 21.05.2022.

5. Considering the nature of the offence and considering the fact that the petitioner is A19 in the case and considering the overt act against the petition and that the victim was discharged from the hospital and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 No.2, Madurai, and on further condition that the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

sd/-
02/06/2022

/ TRUE COPY /

02/06/2022
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.2, MADURAI
 - 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 - 4 THE INSPECTOR OF POLICE, THALLAKULAM POLICE STATION,
MADURAI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1CC to M/s.A.MANOJ PRABAKAR, Advocate (SR-5171[I] dated 02/06/2022)

ORDER IN
CRL OP(MD) No.9773 of 2022
Date : 02/06/2022