



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

Date : 08/06/2022

PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL OP(MD). No.9986 of 2022

WEB COPY

Selvam

... Petitioner/Sole Accused

Vs

State represented by  
The Inspector of Police,  
K.V.Nallur Police Station,  
Tenkasi District.  
(Crime No.211 of 2022).

... Respondent/Complainant

For Petitioner : Mr.G.Thalai Muthuarasu  
Advocate.

For Respondent : Mr.B.Thanga Aravindh  
Government Advocate(Crl.side)

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

PRAYER :-

For Bail in Crime No.211 of 2022 on the file of the Respondent Police.

**ORDER :** The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 15.05.2022 for the offences punishable under Sections 448, 342, 307, 324, 294(b) and 506(ii) of IPC, 2012, in Crime No.211 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there existed previous enmity between the parties, the petitioner attacked the defacto complainant and abused her in filthy language. Hence, the complaint.

3.The learned counsel for the petitioner submitted that he is an innocent and he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in the above case.

4.The learned Government Advocate (Crl.side) would submit that the injured was already discharged from the hospital and he would further submit that the petitioner is not having any previous cases for similar or serious offence.



5.Considering the above facts and also the facts that the petitioner is in judicial custody from 15.05.2022, that there existed previous enmity between the parties, that the injured was already discharged from the hospital and that the petitioner is not having any previous cases for similar or serious offence as stated by the learned Government Advocate, 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, Sankarankovil.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Sessions Judge/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 Sessions Judge/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 Sessions Judge/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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-  
08/06/2022

/ TRUE COPY /

08/06/2022  
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



TO

1. THE JUDICIAL MAGISTRATE,  
SANKARANKOVIL.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,  
K.V.NALLUR POLICE STATION,  
TENKASI DISTRICT.
4. THE SUPERINTENDENT,  
CENTRAL JAIL, PALAYAMKOTTAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate ( SR-5257[I] dated  
08/06/2022 )

ORDER  
IN  
CRL OP(MD) No.9986 of 2022  
Date :08/06/2022

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USK/VR/SAR-I/08.06.2022/3P/7C