



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

Date : 09/06/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.10007 of 2022

Ranjithkumar

... Petitioner/Petitioner/
Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
Crime No.637 of 2021.

... Respondent/Respondent/
Complainant

For Petitioner : M/s.Ramu M,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

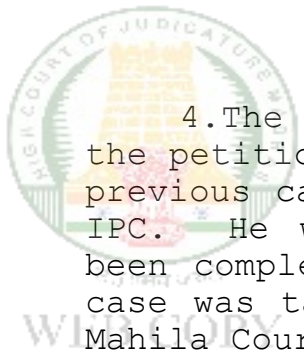
For Bail in Crime No.637 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, is facing a case for the offence punishable under Sections 341, 294(b), 324, 302 and 506(ii) of IPC in S.C.No.147 of 2021 on the file of the learned Fast Track Mahila Court, Kanyakumari District at Nagercoil in crime No.637 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 21.06.2021 at about 06.00 p.m., due to previous enmity, the petitioner assaulted the deceased by using aruval on his body and due to multiple injury, the deceased died on the spot. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has filed a Habeas Corpus Petition before this Court in H.C.P.(MD)No.1338 of 2021 and the same was allowed on 29.03.2022 and that the petitioner is in judicial custody from 22.06.2021.



4.The learned Additional Public Prosecutor would submit that the petitioner is a history sheeted rowdy element and he is having 9 previous cases including the offences under Sections 307 and 392 of IPC. He would further submit that the investigation has already been completed and the charge sheet has already been filed and the case was taken on file in S.C.No.147 of 2021 before the Fast Track Mahila Court, Kanyakumari District at Nagercoil.

5.Considering the above facts and circumstances of the case and also taking note of the fact that the petitioner is in judicial custody from 22.06.2021 and also the fact that the investigation has already been completed and the charge sheet has already been filed and the case was taken on file in S.C.No.147 of 2021, 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.1, Nagercoil.

(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 trial Court on all working days 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.



TO

1. THE FAST TRACK MAHILA JUDGE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
2. THE JUDICIAL MAGISTRATE NO.1,
NAGERCOIL.
3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
4. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
5. THE INSPECTOR OF POLICE,
KOTTAR POLICE STATION,
KANYAKUMARI DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.RAMU, Advocate (SR-5335[I] dated 09/06/2022)

ORDER

IN

CRL OP(MD) No.10007 of 2022

Date :09/06/2022

sjj

USK/VR/SAR-II/09.06.2022/3P/8C