



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

Date : 14.06.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.10537 of 2022

WEB COPY

Palani @ Palanikumar

... Petitioner/4th Accused

Vs

State represented by
The Sub-Inspector of Police,
Veerapandi Police Station,
Theni District.
(Crime No.176 of 2022).

... Respondent/Complainant

For Petitioner : Mr.M.Gandhirajan,
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.176 of 2022 on the file of the Respondent Police.

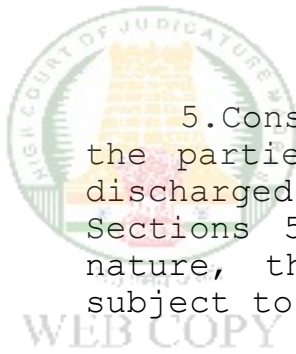
ORDER : The Court made the following order :-

The petitioner/A.4, who was arrested and remanded to judicial custody on 13.05.2022 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(2) and 307 IPC, in Crime No.176 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that during the time of temple festival, a wordy quarrel arose between the defacto complainant and the accused. Due to that, the petitioner along with other accused attacked the defacto complainant and his brother and caused injuries. Hence, the complaint.

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

4.The learned Government Advocate (Criminal Side) would submit that the injured was already discharged from the hospital and that the petitioner is having two previous cases, in which, one case for the offence under Section 506(2) IPC and another case for the offence under Section 379 IPC.



5.Considering the facts that there arose wordy quarrel between the parties in the temple festival, that the injured was already discharged from the hospital and that except the offences under Sections 506(2) and 307 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 Principal Sessions Judge, Theni.

(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., for a period of one month and thereafter as and when required for interrogation;

(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/-

14/06/2022

/ TRUE COPY /

14/06/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

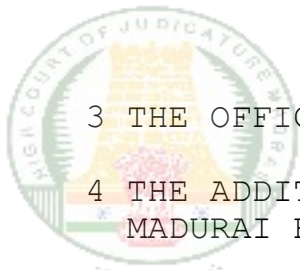
Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE PRINCIPAL SESSIONS JUDGE, THENI.

2 THE SUB INSPECTOR OF POLICE, VEERAPANDI POLICE STATION,

<https://hcservices.mca.gov.in/Services/>



3 THE OFFICER INCHARGE, SUB JAIL, PERIYAKULAM, THENI DISTRICT.

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

+1 CC to M/s.M.GANDHI RAJAN, Advocate (SR-5525[I] dated
14/06/2022)

ORDER

IN

CRL OP(MD) No.10537 of 2022

Date :14/06/2022

RS/VR/SAR.3 (14.06.2022) 3P-6C