



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/06/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . Nos.10569 and 10570 of 2022

Tamilarasi

... Petitioner/Accused No.7
in Crl.O.P.(MD)No.10569 of 2022

Manisha

... Petitioner/Accused No.6
in Crl.O.P.(MD)No.10570 of 2022

Vs

The State rep.by
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
Crime No.288 of 2022.

... Respondent/Complainant
in both petitions

In both petitions:-

For Petitioner : M/s.Balaji A,
Advocate.

For Respondent : Mr.P.KOTTAICHAMY,
Government Advocate (Crl.Side)

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

COMMON PRAYER :- For Bail in Crime No.288 of 2022 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A6 and A7, who were arrested and remanded to judicial custody on 25.05.2022 for the offences punishable under Sections 294(b) and 307 of IPC @ 120(B), 294(b) and 307 of IPC in Crime No.288 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to civil dispute between the parties, the petitioners along with other accused attacked the de-facto complainant's husband with aruval and also caused injuries. Hence, the complaint.

3.The learned counsel for the petitioners would submit that based on the confession given by A1, the petitioners were arrayed as accused in this case. He would further submit that the petitioners



are innocent and they have not committed any offence as alleged by the prosecution. He would also submit that A5 was already arrested and released on bail by the Sessions Court.

4.The learned Government Advocate (Crl. side) for the respondent police would submit that the injured was discharged from the hospital and that the petitioners are having no previous case.

5.Considering the fact that there existed civil dispute between the parties and also taking note of the fact that the petitioners are in judicial custody from 25.05.2022, that A5 was already arrested and released on bail, that the injured was already discharged from the hospital and also the fact that the petitioners are not having any bad antecedents, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Dindigul.

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 petitioners shall report before the respondent police weekly once, i.e., on every Monday at 10.30 a.m for a period of one month and thereafter, as and when required for interrogation.

iii)the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

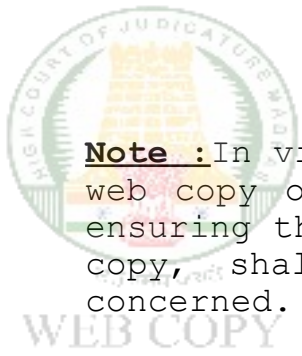
v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
15/06/2022

/ TRUE COPY /

15/06/2022
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
DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE OFFICER INCHARGE
WOMEN PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+2. CC to M/S.BALAJI.A Advocate SR.No.5586 & 5587

ORDER

IN

CRL OP (MD) . Nos.10569 and
10570 of 2022

Date :15/06/2022

SA/VR/SAR.1/15.06.2022/3P/8C