



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/08/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13056 of 2022

1. Subramanian @ Karthee
2. Esakkipandi

... Petitioners/Accused

Vs

The State rep.by
The Inspector of Police,
Mukkudal Police Station, Mukkudal,
Tirunelveli District.
Crime.No.69 of 2022.

... Respondent/Complainant

For Petitioners : M/s. Pragalathan.N,

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

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

PRAYER :- For Bail in Crime No.69 of 2022 on the file of the Respondent police.

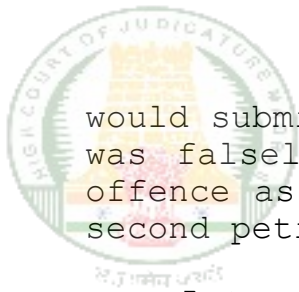
ORDER : The Court made the following order :-

The petitioners/Accused herein, who were arrested on 24.06.2022 for the alleged offence under Sections 448, 294(b), 342, 307, 427 and 506(ii) of IPC, in Crime No.69 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant is the Sub Inspector of Police, who is making investigation with regard to the involvement of first petitioner's friend in a criminal case. Due to which, on 23.06.2022 at about 01.00AM, when he was in his house, the accused persons criminally trespassed into his house and A1 tried to assault him using aruval and they also caused damages to his house. Hence the complaint.

3.The learned Government Advocate (Crl.Side) submitted that the first petitioner is having previous cases and he is a habitual offender. However, the second petitioner is having one previous case, the same was disposed of.

4.The learned counsel for the petitioners seeks permission to withdraw the petition against the first petitioner. Further, he



would submit that the second petitioner is an innocent person who was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. Hence, prays to release the second petitioner on bail.

5. Considering the bad antecedents of the first petitioner, the learned counsel for the petitioners seeks permission of this Court to withdraw the petition, in respect of first petitioner. He has also made an endorsement to that effect. Hence, this Criminal Original Petition is dismissed as against the first petitioner.

6. In respect of second petitioner, this Court considers the limited role played by him and the period of incarceration undergone by him, this Court is inclined to grant bail to the second petitioner with certain conditions.

7. Accordingly, this Criminal Original Petition is partly allowed and the second petitioner alone 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, Cheranmahadevi, Tirunelveli District, and on further condition that the second petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

01/08/2022

/ TRUE COPY /

01/08/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE
CHERANMAHADEVI, TIRUNELVELI DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
 - 3 THE SUPERINTENDENT, CENTRAL JAIL, PALAYAMKOTTAI.
 - 4 THE INSPECTOR OF POLICE,
MUKKUDAL POLICE STATION, MUKKUDAL, TIRUNELVELI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. PRAGALATHAN.N Advocate SR.No.7955**

ORDER IN

CRL OP(MD) No.13056 of 2022
Date : 01/08/2022

SA/PN/SAR.1/01.08.2022/2P/7C

<https://www.mhc.tn.gov.in/judis>