



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

Date : 25/07/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13341 of 2022

1. Mukesh Kanna @ Mukesh
2. Manojkanna @ Manojkannan

... Petitioners/Accused No.1&2

Vs

The State Rep. by
The Inspector of Police,
Karuppayurani Police Station,
Madurai District.
Crime No.56 of 2022.

... Respondent/Complainant

For Petitioners: M/s.Jeyaram A,
Advocate.

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

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

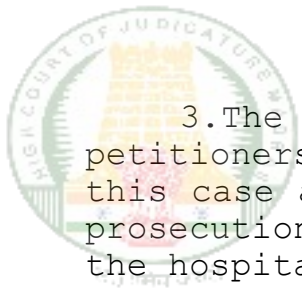
PRAYER :-

For Bail in Crime No.56 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2 herein, who were arrested on 07.07.2022 for the alleged offences under Sections 147, 148, 294(b), 341, 324, 307 and 506(ii) IPC r/w 3(1) TNPPDL Act, in Crime No.56 of 2022 on the file of the respondent police, seek bail.

2.The defacto complainant and the accused persons are neighbours. As per the case of the prosecution, the cell phone of the defacto complainant party was snatched by the accused party. That was questioned by the defacto complainant party, trouble arose between them and several persons were attacked by the accused persons. Based upon the complaint given by the defacto complainant, case has been registered against the accused persons and the petitioners were arrested. Even since, they are in custody.



3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that injured was discharged from the hospital. Hence, he prays for grant of bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submitted that the petitioners are having 2 previous cases. Which are also assault cases. He further submitted that the petitioners caused damage to a two wheeler and home windows worth about Rs.70,000/-. Further, two persons were injured in the above said occurrence and they were discharged from the hospital on 27.06.2022.

5.The learned counsel for the petitioner submitted that he is ready to remit a sum of Rs.70,000/- (Rupees Seventy Thousand only) to the credit of Cr.No.56 of 2022 before the trial Court concerned.

6.Considering the duration of incarceration and also considering the fact that the injured was discharged from the hospital and the willingness of the petitioners to remit a sum of Rs.70,000/- (Rupees Seventy Thousand only) to the credit of Crime Number, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.70,000/- (Rupees Seventy Thousand only) to the credit of Cr.No.56 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

8.On such deposit being made, the petitioners are ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Madurai, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
25/07/2022

/ TRUE COPY /

/07/2022

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.II, Madurai..
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Superintendent,
Central Prison, Madurai.
4. The Inspector of Police,
Karuppayurani Police Station,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.Jeyaram,Advovate, (SR.No.7595)

ORDER

IN

CRL OP(MD) No.13341 of 2022

Date :25/07/2022

USK/SVR/SAR-IV/26.07.2022/3P/7C