



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 10/08/2022  
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13855 of 2022

Mahendran

... Petitioner/Accused No.1

Vs

The State rep.by,  
The Inspector of Police,  
Kallal Police Station, Sivagangai District.  
In Crime No.102/2022.

... Respondent/Complainant

For Petitioner : MR.A.Mohan,  
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.102 of 2022 on the file of the Respondent Police.

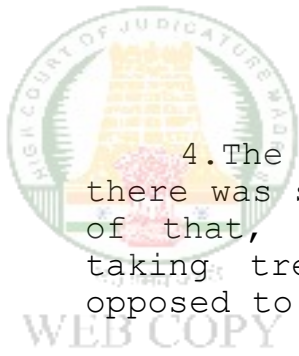
ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested on 17.07.2022 for the alleged offences under Sections 447, 294(b), 342, 323, 506(ii) and 307 of IPC, in Crime No.102 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that on 09.07.2022, at about 05.30 p.m, the accused, who is the neighbour removed the fencing that was put up by the defacto complainant. He also tied his cattle in that place. That was objected by the defacto complainant and the same was informed to the co-accused. Later, both of them assaulted him with sickle and iron rod. Because of the above said assault, he sustained injury on the left eye region. He was taken to the hospital. Later, discharged from the Government Hospital. Thereafter, he is taking treatment in Aravindh Eye Hospital, Madurai. Hence, present case came to be registered against the accused persons and the petitioner was arrested on 17.07.2022. Ever since, he is in custody.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the injured was discharged from the hospital. Hence, he prays for grant of bail to the petitioner.

<https://www.cmla.org.in/tids>



4.The learned Government Advocate (Crl.Side) submitted that there was some cut injury in the nerve area on the left eye. Because of that, after discharging from the Government Hospital, he is taking treatment in Aravindh Eye Hospital, Madurai. Hence, he opposed to grant bail to the petitioner.

5.Considering the period of incarceration and also considering the fact that it is a dispute over the petty issue that tying cattle in the land and both are neighbours, this Court is inclined to grant bail to the petitioner with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner 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, Karaikudi, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

10/08/2022

/ TRUE COPY /

10/08/2022

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 MAGISTRAE, KARAIKUDI
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
SIVAGANGAI DISTRICT.
- 3 THE OFFICER INCHARGE,  
DISTRICT JAIL, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE  
KALLAL POLICE STATION, SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.MOHAN A Advocate SR.No.8352.

ORDER

IN

CRL OP(MD) No.13855 of 2022

Date :10/08/2022

DSS

MK/PN/SAR.IV/10.08.2022/2P/7C

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