



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.09.2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.15952 of 2022

K.Alexandar ... Petitioner/Accused -1

Vs

The State through
the Inspector of police,
Dindigul Town Police Station,
Dindigul.

Crime No.442 of 2022

... Respondent/Complainant

For Petitioner : MR.R.SEVUGARAJA
Advocate.

For Respondent : M/S.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

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

PRAYER :-

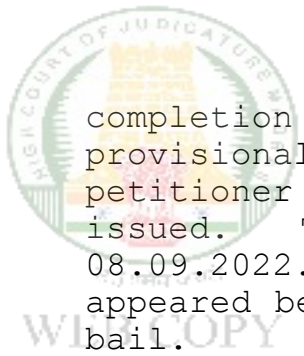
For Bail in Crime No.442 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 24.08.2022 for the offences punishable under Sections 294 (b), 417 and 506(i) of IPC in Crime No.442 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and his friends went to the police station for some enquiry. On a complaint given by the advocate who represented the other side, the Secretary of the Bar Association, Dindigul has lodged a complaint stating that the petitioner is a fake advocate. On that complaint the petitioner was arrested on 24.08.2022 and he is still in custody.

3.On the side of the petitioner it is further stated that the petitioner has completed law degree and copy of the course



completion certificate, mark sheet, transfer certificate, provisional certificate are all annexed with this petition. The petitioner is awaiting enrollment. Paper publication was also issued. The Bar Council of India called for his enrolment on 08.09.2022. The petitioner has not filed any vakalat and has not appeared before any Court and pray the petitioner to be released on bail.

4.The learned Additional Public Prosecutor submitted that the petitioner was arrested on 24.08.2022 on the complaint lodged by the Secretary, Dindigul Bar Association. The petitioner is in custody for the past 10 days.

5.On the side of the defacto complainant it is stated that Mr.D.Venkatesh, learned counsel, is likely to file an intervene petition.

6.Sofar, no intervene petition was filed. A verification of the records reveals that the petitioner has completed law degree and he has obtained provisional certificate also. In the above circumstances, this Court is inclined to release the petitioner on bail on condition that the petitioner has to appear before the trial Court on all hearing dates.

7.Accordingly, the petitioner is ordered to be released on bail, on executing a 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 No.I, Madurai, and on further conditions that:

(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 petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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 Magistrate/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 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 / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
06/09/2022

/ TRUE COPY /

07/09/2022

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

pnn

TO

1. THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
3. THE JUDICIAL MAGISTRATE NO.I, MADURAI.
4. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI
5. THE OFFICE IN CHARGE,
DISTRICT PRISON,
DINDIGUL.
6. THE INSPECTOR OF POLICE,
DINDIGUL TOWN POLICE STATION,
DINDIGUL.
7. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.SEVUGARAJA R Advocate SR.No.9686,9689

ORDER
IN
CRL OP(MD) No.15952 of 2022
Date :06/09/2022

RK/SVR/SAR-IV (07/09/2022) 3P/10C