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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 01/09/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Cr1.OP(MD)No.15725 of 2022

Gopi : Petitioner/A1

Vs.

The Sub Inspector of Police,
Thatchanallur Police Station,
Tenkasi District.
(Crime No.234 of 2022) : Respondent/Complainant

For Petitioner : Mr.S.Gokulraj

For Respondent : Mr.B.Thanga Aravindh
Government Advocate
(Criminal side)

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

PRAYER :- C-8B.For Bail in Crime No.234 of 2022 on the
file of the Respondent Police.



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4. Now seeking bail, this petition has been filed on the ground that due to previous enmity, the petitioner, who suffered injury and the de-facto complainant only pulled the petitioner and his wife from the two wheeler. In the above said occurrence, the petitioner and his wife also got injury and the entire occurrence has been captured in CCTV camera, which was erected by A3 in his house. According to the learned counsel appearing for the petitioner, it is nothing, but it is a case of self-injury. To show the same, he has also produced the CCTV footage in pen-drive.

5. Now whatever it may be, objection has been raised by the prosecution to the effect that the petitioner is not having any good conduct and is having previous cases viz., Crime Nos. 1049 of 2020 and 142 of 2022. Because of the continuous trouble between the parties, it is seen that against the de-facto complainant, cases in Crime Nos. 6 and 148 of 2022 have been registered. It is also seen that both the accused person and the de-facto complainant are neighbours. Because of the continuous enmity between them, enquiry has been undertaken under section 110 Cr.P.C and that was



allowed by this Court in Cr.MP No.13834 of 2022. Even after quashment, continuous trouble is being made by the petitioner. So again CSR Nos.287 and 290 of 2022 have been registered and they were also closed.

6.In spite of closure of the earlier complaints, now the petitioner is making continuous trouble, since it is a matter of two neighbours, over which several cases have been registered against both parties.

7.But however, considering the incarceration period of the petitioner, he has to file an affidavit stating that he will not commit any similar offence in future nature, before the concerned court at the time of furnishing sureties. If any violation is noticed, the respondent is at liberty to proceed against the petitioner and the bail granted will stand cancelled automatically without further reference to this court.

8.With the above said condition and undertaking, this court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his 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.IV, Tirunelveli and on further condition that the petitioner shall report before the respondent police daily at 10.30 am until further orders.

01/09/2022

Index:Yes/No
Internet:Yes/No
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To,

- 1.The Sub Inspector of Police,
Thatchanallur Police Station,
Tenkasi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Central Prison,
Palaymkottai.



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