



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

Date : 08/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.15863 of 2022

Muthukumar

... Petitioner/Accused NO.4

Vs

The State Rep. By,
The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District
(Crime No. 187 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Anand.K,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.187 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A4, was arrested and remanded to judicial custody on 12.08.2022 for the offences punishable under Sections 147, 148, 294(b), 341, 506(ii) and 307 IPC in Crime No.187 of 2022, on the file of the respondent police, seeks bail.

2.The case against the petitioner is that on 11.08.2022, the petitioner and other accused waylaid the de-facto complainant and attacked him with deadly weapons and also threatened him with dire consequences. Hence, the above case has been registered against the petitioner.

3.On the side of the petitioner, it is stated that due to civil dispute, a false case was foisted against the petitioner and prayed the petitioner to be released on bail.

4.On the side of the prosecution, it is stated that the injured was discharged from the hospital on 18.08.2022.



5. Considering the period of incarceration and on considering the fact that the injured was already discharged from the hospital, this Court is inclined to grant bail to the petitioner with certain conditions.

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6. Accordingly, this Criminal Original Petition is allowed and 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 Court, Cheranmahadevi.

(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 be present before the Court on hearing dates and before the respondent police as and when required;

(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/-

08/09/2022

/ TRUE COPY /

08/09/2022

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,
CHERANMAHADEVI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.ANAND, Advocate (SR-9787[I] dated 08/09/2022)

ORDER

IN

CRL OP(MD) No.15863 of 2022

Date :08/09/2022

sj i

USK/VR/SAR-II/08.09.2022/3P/7C