



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

Date : 12/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.16393 of 2022

1. S.Arumugam
2. A.Sudalai

... Petitioners/Accused No.1&2

Vs

The State Rep. By,
The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli.
(Crime No.249/2022).

... Respondent/Complainant

For Petitioners : M/s.Suresh Manickam.S,
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.249/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who were arrested and remanded to judicial custody on 21.08.2022 for the offences punishable under Sections 435 and 436 of IPC in Crime No.249 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners along with other accused said to have said fire to the haystack and the cowshed of the defacto complainant. Hence, the complaint.

3.On the side of the petitioners, it is stated that due to previous enmity a false case has been foisted against the petitioners. It is also further stated that the petitioner is in judicial custody from 21.08.2022, hence he seeks bail.



4. On the side of the prosecution, it is stated that petitioners along with other accused said to have set fire to the haystack and the cowshed of the defacto complainant and damage is worth about Rs.20,000/-.

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5. Considering the facts and circumstances of the case and also period of incarceration and also the fact that the investigation is almost completed, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a 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 Court No.IV, Tirunelveli

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

(iii) the petitioners shall not tamper with evidence or witness;

(iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
12/09/2022

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12/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO.IV,
TIRUNELVELI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16393 of 2022
Date :12/09/2022

aav
USK/SBN/SAR-IV/12.09.2022/3P/6C