



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.16797 of 2022

WEB COPY

Mahadevan @ Bonda Mahadevan

... Petitioner/Accused No.3

Vs

The State Rep. By,
The Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.
Crime No. 898 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Dhilipan Pandian R.L.,
Advocate.

For Respondent : Mr.M.Muthu Manickam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.898 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 11.07.2022 for the offences punishable under Section 341, 294(b), 324, 506(ii) and 307 IPC, in crime No.898 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous motive, the petitioner along with other accused waylaid the defacto complainant with aruval and caused grievous injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that a false case has been registered against the petitioner with an ulterior motive. He would further submit that the petitioner is innocent and his name has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 11.07.2022, hence he may be granted bail.

4.The learned Government Advocate (Crl. Side) would submit that now the injured has been discharged from the hospital and the investigation of the case is pending.



5. Considering the submissions made by the learned counsel on either side and also considering the period of incarceration and also the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner on certain conditions.

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 No.I, Thanjavur.

(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 thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

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19/09/2022

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, THANJAVUR DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER-INCHARGE,
SUB JAIL, THANJAVUR.
4. THE INSPECTOR OF POLICE
THANJAVUR EAST POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.16797 of 2022

Date : 19/09/2022

trp

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