



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

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17671 of 2022

WEB COPY

V.Sarathkumar

... Petitioner/Accused No.2

Vs

State represented by
The Inspector of Police,
Jegathapattinam Police Station,
Pudukkottai District.
(Crime No.201 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Suresh.M, Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.201 of 2021 on the file of the respondent police.

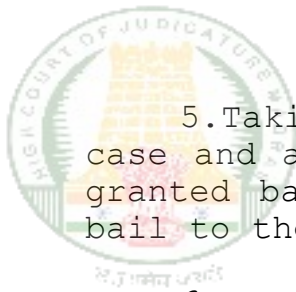
ORDER : The Court made the following order :-

The petitioner/Accused No.2, who was arrested and remanded judicial custody on 19.09.2022 for the offences punishable under Sections 294(b), 323, 324 and 307 of IPC, in Crime No.201 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prsecution is that on 06.11.2021 at about 05.00 p.m., the petitioner along with the other accused abused the defacto complainant in filthy language, attacked the defacto complainant and also threatened him with dire consequences.

3.The learned counsel for the petitioner submits that the petitioner has filed a petition in Cr.M.P.(MD)No.4693 of 2021 seeking bail before the learned Principal District and Sessions Judge, Pudukkottai, and the Principal District and Sessions Judge has granted bail on 19.11.2021 by imposing certain conditions. He further submits that due to ill-health of the petitioner, he could not complied with the condition. Hence, Non-Bailable Warrant (NBW) was ordered to be issued on 10.03.2022 and that warrant was executed on 19.09.2022 and he is still in custody.

4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the Non-Bailable Warrant was ordered to be issued for the first time against the petitioner.



5. Taking into consideration the facts and circumstance of the case and also considering the fact that the petitioner was already granted bail by the lower Court, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Aranthangi.

(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 learned Judicial Magistrate, Keeranur, daily at 10.30 a.m., for a period of eight weeks;

(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]**.

sd/-

06/10/2022

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06/10/2022

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

TO

1 THE JUDICIAL MAGISTRATE, ARANTHANGI.

2 THE JUDICIAL MAGISTRATE, KEERANUR.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.

4 THE INSPECTOR OF POLICE, JEGATHAPATTINAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

5 THE OFFICER INCHARGE, SUB JAIL, ARANTHANGI, PUDUKKOTTAI DISTRICT.

6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.17671 of 2022

Date : 06/10/2022

CSM/AAV

RS/SVR/SAR.4(06.10.2022) 2P-7C

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