



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.17827 of 2022

Paramasivan

... Petitioner/Accused No.5

Vs

State Rep.by
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
(Cr No.424/2022).

... Respondent/Complainant

For Petitioner : M/s.Sivabalan, Advocate
for M/s.M.Prabu, Advocate.
For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

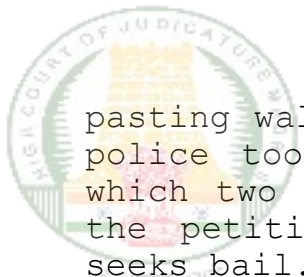
For Bail in Cr No.424/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A5, who was arrested and remanded judicial custody on 18.09.2022 for the offences punishable under Sections 147, 148, 341, 294(b), 332, 353, 307 and 506(2) of IPC in Crime No.424 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 18.09.2022 the petitioner along with other accused unlawfully assembled and restrained the defacto complainant, abused him in filthy language and also attacked him iron road and thereby prevented him from discharging his duty. Hence the case came to be registered.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that on the date of occurrence the petitioner along with other accused were



pastings wall poster in the locality and at that time the police took away all the poster and attacked the petitioner in which two persons sustained injuries. He would further submit that the petitioner is in judicial custody from 18.09.2022, hence he seeks bail.

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4. The learned Additional Public Prosecutor would submit that some of the accused are having previous cases. He would also submit that some of the police officers sustained injuries in the said occurrence and they are still taking treatment.

5. Though it is stated by the respondent that some of the police officers who are injured in the occurrence is still taking treatment, no proof has been produced by them to substantiate the same. Taking into consideration the facts and circumstances of the case and also considering the fact that the investigation is almost completed and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions.

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 No.I, Kovilpatti.

(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 stay at Karur and report before the learned Judicial Magistrate No.I, Karur daily at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation;

(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 NO.I, KOVILPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE JUDICIAL MAGISTRATE NO.I, KARUR.

4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.

5 THE OFFICER INCHARGE, DISTRICT JAIL, PEROORNI,
THOOTHUKUDI DISTRICT.

6 THE INSPECTOR OF POLICE, KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.M.PRABU, Advocate (SR-10969[I] dated 06/10/2022)

ORDER

IN

CRL OP(MD) No.17827 of 2022

Date :06/10/2022

AAV

RS/SVR/SAR.4(06.10.2022) 3P-9C