



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/10/2022
PRESENT

WEB COPY

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

CRL OP(MD). No.17758 of 2022

R.Sathiyamoorthy

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Thirupparankundram Police Station,
Madurai District.
Crime No. 337 of 2022.

... Respondent/Complainant

For Petitioner : M/s.MALAIKANI.S,
Advocate.

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

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

PRAYER :- For Bail in Crime No. 337 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A1, who was arrested and remanded judicial custody on 25.08.2022 for the offences punishable under Sections 452,427,294(b),307 and 506(ii) of IPC in Crime No.337 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant's husband is running a silver metal factory. A1 was working as a labour in the steel factory and he used to tease the women labours who were working in the factory, hence the husband of the defacto complainant terminated A1 from the factory. Hence on 25.08.2022 all the accused persons trespassed into the factory, scolded in filthy language and assaulted him with knife. 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 the injured has been discharged from the hospital and petitioner is in judicial custody from 25.08.2022, hence he seeks bail.



4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the investigation is almost completed. He would further submit that A3 and A4 were released on bail and A2 is still absconding.

5.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 and also taking note of the fact that some of the co-accused were released on bail, 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.VI, Madurai.

(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 Salem and report before the Salem Town Police Station daily at 10.30 a.m., for a period of three 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.VI,
MADURAI.

<https://www.mhc.tn.gov.in/judis>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
THIRUPPARANKUNDRAM POLICE STATION,
MADURAI DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE
SALEM TOWN POLICE STATION,
SALEM.

+1. CC to M/S. MALAIKANI.S Advocate SR.No.10938

ORDER

IN

CRL OP(MD) No.17758 of 2022

Date :06/10/2022

AAV

SA/SVR/SAR.4/06.10.2022/3P/8C