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CRL OP(MD). N



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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.17837 of 2022

Surya @ Thalumbu Surya

... Petitioner/Accused No.2

Vs

State represented by
The Inspector of Police,
Karur Town Police Station,
Karur District.
(Crime No.612 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Santhanam Rajesh Kumar.B,
Advocate.
For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

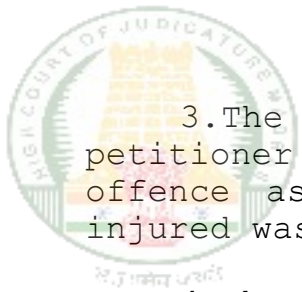
PRAYER :-

For Bail in Crime No.612 of 2022 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 08.09.2022 for the offences punishable under Sections 341, 294(b) and 307 of IPC, in Crime No.612 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 07.09.2022 at about 03.00 a.m., when the defacto complainant along with one Rajendran travelling in an omni van and at that time, the petitioner and the other accused stopped the defacto complainant's vehicle and warned the defacto complainant to reduce the speed. Due to that, a wordy quarrel arose between them. The petitioner and the other accused abused the defacto complainant in filthy language, attacked him with knife and also threatened him with dire consequences.



3.The learned counsel for the petitioner submits the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that injured was already discharged from the hospital.

4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the petitioner is having five previous cases. He further submits that the first accused is still in custody.

5.Taking into consideration the facts and circumstances of the case and also considering the fact that the injured was already discharged from the hospital, 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 No.1, Karur, Karur District.

(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 Vellore and report before the Vellore Town Police Station daily at 10.30 a.m., for a period of twelve weeks and thereafter appear before the respondent police 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
KARUR, KARUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, KARUR.

4 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION, KARUR DISTRICT

5 THE INSPECTOR OF POLICE,
VELLORE TOWN POLICE STATION, VELLORE DISTRICT.

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

ORDER

IN

CRL OP(MD) No.17837 of 2022

Date :06/10/2022

SS/06/10/2022/ 3P 7C