



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.17918 of 2022

Sundar

... Petitioner/Accused No.3

Vs

The State represented by
The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
(Crime No.184 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Lenin Kumar.T,
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.184 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who was arrested and remanded judicial custody on 30.07.2022 for the offences punishable under Sections 147, 148, 294(b), 307, 323, 324, 427 and 506(2) of IPC altered into Sections 109, 147, 148, 294(b), 307, 323, 324, 427 and 506(2) of IPC, in Crime No.184 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there existed some dispute regarding erecting of flex between the parties. Due to that, on 29.07.2022, the petitioner and the other accused attacked the defacto complainant with deadly weapons and also damaged the defacto complainant's tea shop.

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 all

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4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the petitioner is having 9 previous cases. He further submits that the petitioner and the other accused caused damage worth about Rs.5,00,000/-.

5.Taking into consideration the facts and circumstances of the case and also considering the fact that the co-acused were already released on bail, 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.III, Tirunelveli.

(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 deposit a sum of **Rs.30,000/- (Rupees Thirty Thousand only)** to the credit of Crime No.184 of 2022 without prejudice to his rights and contentions before the learned Judicial Magistrate No.III, Tirunelveli.

(iii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two months and thereafter as and when required for interrogation;

(iv)the petitioner shall not tamper with evidence or witness;

(v)the petitioner shall not abscond during trial;

(vi)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.III
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI.



3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT

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

+1. CC to M/S.LENIN KUMAR.T Advocate SR.No.10927

ORDER

IN

CRL OP(MD) No.17918 of 2022

Date :06/10/2022

SS/VRS/SAR IV/06/10/2022/ 3P 7C