



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.18737 of 2022

Vignesh

... Petitioner/Accused No.11

Vs

The State rep.by
The Inspector of Police,
Natchiyarkoil Police Station,
Thanjavur District.
Crime No. 718/2022.

... Respondent/Complainant

For Petitioner : M/s.Sathesh Kumar B, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.718 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

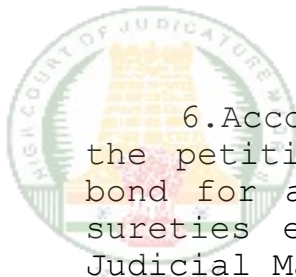
The petitioner/All, who was arrested and remanded to judicial custody on 13.09.2022 for the offences punishable under Sections 147, 148, 294(b), 324, 307 and 506(ii) IPC, in crime No.718 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to money dispute, the accused came with aruval, abused the de-facto complainant in filthy language and attempted to murder and caused injuries to him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he is in judicial custody from 13.09.2022, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the injured was discharged from the hospital and no previous case is pending against the petitioner. But, however, considering the gravity of offence, he strongly opposed to grant bail.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and also the fact that the injured was already discharged from the hospital, this Court is inclined to grant bail to the petitioner on certain conditions.



6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.2, Kumbakonam.

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(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 respondent police daily at 10.30 a.m., until further orders;

(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/-

20/10/2022

/ TRUE COPY /

20/10/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.2, KUMBAKONAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE, SUB JAIL, THIRUVIDAIMARUTHUR.

4 THE INSPECTOR OF POLICE,
NATCHIYARKOIL POLICE STATION, THANJAVUR DISTRICT.

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

+1. CC to M/S.SATHESH KUMAR B Advocate SR.No.11830

ORDER IN

CRL OP(MD) No.18737 of 2022

Date :20/10/2022

SJI

<https://www.mca.gov.in/judis> /20.10.2022/2P/7C