



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/10/2022
PRESENT

WEB COPY

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

CRL OP(MD). No.19133 of 2022

1.Mariappan

2.Muppidathi @ Gopi

... Petitioners/Accused Nos.2 & 3

Vs

The State rep.by
The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
(Crime No.232/2022).

... Respondent/Complainant

For Petitioners : M/s.Raamakrishnan.KA,
Advocate.

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

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

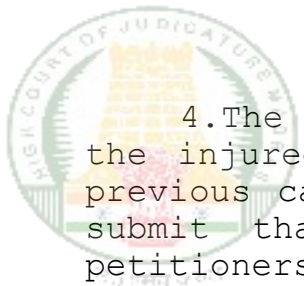
PRAYER :- For Bail in Crime No.232/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 and 3, who was arrested and remanded to judicial custody on 10.10.2022 for the offences punishable under Sections 294(b), 307 and 506(ii) of IPC in Crime No.232 of 2022, seek bail.

2.The case of the prosecution is that on 10.10.2022, at about 10.00 a.m, When the defacto complainant was standing near Sawrashtra Kalyana Mandapam, Veeravanallur, the accused persons came in a bike in a speed manner, which was questioned by the defacto complainant, for which, the accused have attempted to cause injuries to him and also abused him in filthy language. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as mentioned in the FIR and they are in judicial custody from 10.10.2022. Hence they may be granted bail.



4.The learned Additional Public Prosecutor would submit that the injured has already been discharged from the hospital and no previous case is pending against the petitioner. He would further submit that there is a specific allegation made against the petitioners and the investigation in this case is not yet completed.

5.Considering the facts and circumstances of the case and considering the period of incarceration and also the facts that the injured has already been discharged from the hospital and the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioners on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Cheranmahadevi, Tirnelveli 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 petitioners shall report before the concerned trial Court on all working days daily at 10.30 a.m., until further orders;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

28/10/2022

/ TRUE COPY /

28/10/2022

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

TO

1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

<https://www.mhjudiciary.org>



3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE,
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.RAAMAKRISHNAN KA Advocate SR.No.12017

ORDER

IN

CRL OP(MD) No.19133 of 2022

Date :28/10/2022

CP
SA/SBN/SAR. /28.10.2022/3P/7C