



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/11/2022
PRESENT

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

CRL OP(MD) . No.19721 of 2022

Arunkumar

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.
Crime No.299 of 2022.
U/s.294(b), 323, 324, 307, 506(ii) of IPC

... Respondent/Complainant

For Petitioner : Mr.Suresh M,
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.299/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 24.10.2022 for the offences punishable under Sections 294(b), 323, 324, 307 and 506(ii) of IPC, in Crime No.299 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 23.10.2022, the defacto complainant along with his father were working in their welding company, at that time, they were heard about the quarrel and came outside and questioned the petitioner, for which, the petitioner abused the defacto complainant and stabbed with knife. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that due to earlier vengeance, the petitioner has been falsely implicated in this case and the petitioner is in judicial custody from 24.10.2022 and hence, he may be granted bail.



4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the injured was already discharged from the hospital. He would further submit that the investigation is still pending and hence, he opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and considering the period of incarceration and also the fact that the injured has already been 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.III, Dindigul.

(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/-

18/11/2022

/ TRUE COPY /

18/11/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.III
DINDIGUL.

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



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL.

4 THE INSPECTOR OF POLICE,
SHANARPATTI POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER

IN

CRL OP(MD) No.19721 of 2022

Date :18/11/2022

CP
SA/SSS/SAR. /18.11.2022/3P/6C