



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09/11/2022

PRESENT

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

CRL OP(MD) . No.19807 of 2022

Mahendran

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Fl.High Court Police Station
Madurai City.
Cr.No.03/2022.

... Respondent/Complainant

For Petitioner : M/s.Jegadeesh Pandian M,
Advocate.

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

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

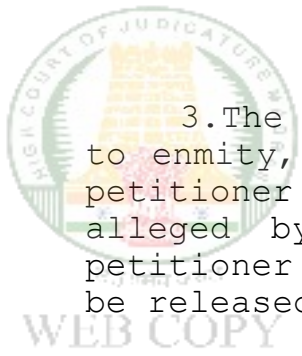
PRAYER :-

For Bail in Crime No. 03/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 19.10.2022 for the offences punishable under Sections 294(b), 353, 427 and 510 IPC r/w Section 4(A) of TNP Act and Section 3 of TNPPDL Act in Crime No.03 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant and the petitioner are working as Assistant in pass counter of the Madurai Bench of Madras High Court, Madurai. The petitioner was on casual leave on 19.09.2022 and on that day at about 02.30 p.m. to 03.30 p.m., the petitioner went to the pass counter in a drunken mood and started to abuse the de-facto complainant and others. When it was questioned by the de-facto complainant, he pushed down the touch screen, computer and kicked the glass door at the office entrance and also prevented the employees from doing their official work. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the entire occurrence happened in the premises of the Madurai Bench of Madras High Court by the petitioner, who is a staff of the High Court and the entire incident has been recorded in the CCTV footage and the investigation is completed. However, considering the gravity of offence, he strongly opposed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the entire occurrence happened in the premises of the Madurai Bench of Madras High Court by the petitioner, who is a staff of the High Court and the entire incident has been recorded in the CCTV footage and the investigation is completed. However, considering the gravity of offence, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and also the fact that the investigation is completed, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on his 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.VI, Madurai.

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 06.00 p.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/-

09/11/2022

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



TO

1. THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.
2. DO THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,
F1.HIGH COURT POLICE STATION,
MADURAI CITY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.JEGADEESHA PANDIAN, Advocate (SR-12732[I] dated
09/11/2022)

ORDER
IN
CRL OP(MD) No.19807 of 2022
Date :09/11/2022

sj i
USK/BUC/SAR-I/10.11.2022/3P/7C