



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.19737 of 2022

WEB COPY

Karuppaiah

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
Cr.No.424/2022.

... Respondent/Complainant

For Petitioner : M/s.Muthu V, 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.424/2022 on the file of the Respondent police.

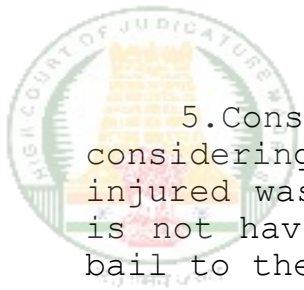
ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 19.10.2022 for the offences punishable under Sections 294(b), 307 and 506(ii) IPC, in crime No.424 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 18.10.2022 at about 09.00 p.m., the accused demanded money from one Malarmannan, who is the brother of the de-facto complainant and abused him in filthy language and attacked him with beer bottle and caused head injury and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 19.10.2022 and 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 and the investigation is still pending. Hence, he strongly opposed to grant bail to the petitioner.



5. Considering the facts and circumstances of the case, so considering the period of incarceration and also the facts that the injured was already discharged from the hospital and the petitioner is not having any bad antecedents, 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 Principal Sessions Judge, Dindigul.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Sessions Judge/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 Sessions Judge/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 Sessions Judge/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/-

15/11/2022

/ TRUE COPY /

15/11/2022

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

TO

1 THE PRINCIPAL SESSIONS JUDGE, DINDIGUL.

2 THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.

3 THE INSPECTOR OF POLICE, BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER IN

CRL OP(MD) No.19737 of 2022

Date :15/11/2022

SJI

RS/TR/SAR.4(15.11.2022) 2P-5C

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