



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/11/2022
PRESENT

WEB COPY

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

CRL OP(MD). No.21130 of 2022

M.Meyyappan

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Guziliamparai Police Station,
Dindigul District.
Crime No.238 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Chandrakumar A,
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.238 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 20.10.2022 for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) IPC, in crime No.238 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to pathway dispute pending between the parties, on 20.11.2022 at about 07.30 a.m., all the accused attacked the de-facto complainant and his family members 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 been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 20.10.2022, hence, he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the injured was discharged from the hospital and the investigation is still pending. Hence, 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



injured was already discharged from the hospital, this 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, Vedsanthur and on further conditions that:

(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/-

29/11/2022

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29/11/2022

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

TO

1 THE JUDICIAL MAGISTRATE, VEDASANTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, VEDASANTHUR.

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

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

+1. CC to M/S.CHANDRAKUMAR A Advocate SR.No.13944

ORDER IN

CRL OP(MD) No.21130 of 2022

Date :29/11/2022

SJI

<https://www.mca.gov.in/dis> /29.11.2022/2P/7C