



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

Date : 06/12/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.21352 of 2022

Sundar

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.
Crime No.1507 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Maheswaran R,
Advocate.

For Respondent : Mr.T. Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

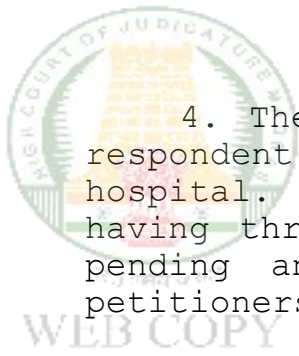
For Bail in Crime No.1507 of 2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner who was arrested and remanded to judicial custody on 02.11.2022 for the offence punishable under Sections 294 (b) and 307 IPC in Crime No. 1507 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that due to previous enmity the petitioner has attacked the defacto complainant with knife and caused injuries and also abused him in filthy language. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that only for statistical purpose the petitioner herein was arrayed as accused and he is in judicial custody from 02.11.2022 and seeks bail.



4. The learned Additional Public Prosecutor appearing for the respondent would submit that the injured was discharged from the hospital. He would further submit that the petitioner herein is having three previous cases and the investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioners.

5. Taking into consideration of the facts and submissions made by the learned counsels and that the petitioner is in judicial custody from 02.11.2022, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail on condition to execute 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.I, Thanjavur, and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner shall stay at Thiruvallur and report before the Thiruvallur Town Police Station twice a day daily at 10.30 a.m., and 5.30 p.m., until further orders;

(d) the petitioner shall not commit any offences of similar nature;

(e) the petitioner shall not abscond either during investigation or trial;

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

06/12/2022

/ TRUE COPY /

06/12/2022

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



Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER-INCHARGE,
SUB JAIL, THANJAVUR.
4. THE INSPECTOR OF POLICE,
THANJAVUR EAST POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO :

THE INSPECTOR OF POLICE,
THIRUVALLUR TOWN POLICE STATION,
THIRUVALLUR.

ORDER

IN

CRL OP(MD) No.21352 of 2022

Date :06/12/2022

trp

USK/VR/SAR- /06.12.2022/3P/7C