



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

Date : 12/12/2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.21900 of 2022

Jeyachandran @ Santhru

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
Crime No.861 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Sathya Chidambaram S,
Advocate

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

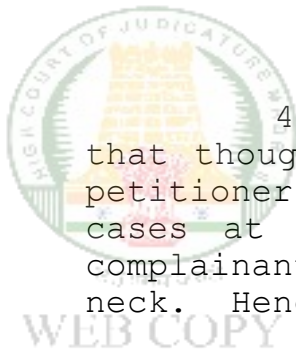
For Bail in Crime No.861 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 31.10.2022, for the offence punishable under Sections 294(b), 452, 307 of I.P.C in Crime No. 861 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution, as per the defacto complainant Southrajan is that there was a quarrel between the parties, with regard to payment of money in the Wine Shop, the accused had abused and assaulted him with aruval, in which, he sustained injuries on his neck and hands. 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. The petitioner and the defacto complainant are friends. The injured has been discharged from the hospital. The petitioner is in judicial custody from 30.10.2022. Hence, prays to release the petitioner on bail.



4. The learned Additional Public Prosecutor would submit that though the injured has been discharged from the hospital, the petitioner is a habitual offender and he is having five previous cases at his credit. The petitioner had assaulted the defacto complainant, without any provocation and caused injuries on his neck. Hence, he strongly opposed to grant bail to the petitioner.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner and the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner on certain 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, Kumbakonam**, 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 Periyakulam and report before the Periyakulam Police Station daily at 10.30 a.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/-

12/12/2022

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12/12/2022

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



TO

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

COPY TO :

THE INSPECTOR OF POLICE,
PERIYAKULAM POLICE STATION,
THENI DISTRICT.

+1 CC to M/s.SATHYA CHIDAMBARAM S, Advocate (SR-14649[I] dated
12/12/2022)

ORDER

IN

CRL OP(MD) No.21900 of 2022

Date :12/12/2022

PNM

USK/VR/SAR- /12.12.2022/3P/8C