



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.21910 of 2022

Peter @ Peter Ranjith

... Petitioner/3rd Accused

Vs

The State Rep. By,
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
(In Crime No.622/2022).

... Respondent/Complainant

For Petitioner : M/s.Sivabalan.K, Advocate
For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr No.622/2022 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 26.10.2022 for the offences punishable under Sections 294 (b), 342, 324, 307 and 506(ii) IPC, in crime No.622 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that one of the accused in this case, is involved in murder case and in that case, the de-facto complainant is an eye witness. Due to which, on 26.10.2022, the accused persons waylaid the de-facto complainant, abused in filthy language, attacked with deadly weapons and caused cut injuries to him and also attempted to his life threat. 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 co-accused has been released on bail, as per order of this Court in Crl.O.P(MD)No.20950 of 2022, dated 25.11.2022. He would further submit that the petitioner is in judicial custody from 26.10.2022, hence he may be released on bail.



4.The learned Additional Public Prosecutor would submit that the injured was discharged from the hospital and no previous case is pending against him. However, considering the gravity of offence, he strongly opposed to grant bail to the petitioner.

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

6.Considering the facts and circumstances of the case and also 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 with 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, Tirunelveli**, 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 report before the respondent 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/-

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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,
TIRUNELVELI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-14658[I] dated 12/12/2022)

ORDER
IN
CRL OP(MD) No.21910 of 2022
Date :12/12/2022

pnm
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