



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 13/12/2022
PRESENT

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

CRL OP(MD). No.21990 of 2022

1.Praveen,
Wrongly Shown in the Fir as Parveen

2. Velraj ... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by
The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.
Cr.No.454/2022.

... Respondent/Complainant

For Petitioners : M/s.Karthick R.J.,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

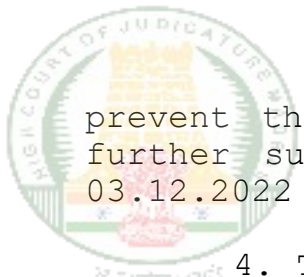
PRAYER :- For Bail in Crime No. 454/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners who were arrested and remanded to judicial custody on 03.12.2022 for the offence punishable under Sections 294(b), 307, 427 and 506(ii) IPC in Crime No. 454 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant had earlier murdered the petitioners father and due to that motive, the petitioners herein have trespassed into the house of the defacto complainant and assaulted him with sickle and also abused him in filthy language. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that absolutely there is no injury to the defacto complainant and this complaint has been given by the defacto complainant only to



prevent the petitioners from taking action against him. He would further submit that the petitioner are in judicial custody from 03.12.2022 and seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the defacto complainant had earlier murdered the father of the petitioners, in order to take revenge, the petitioners have gone to the house of the defacto complainant and attacked him with sickle and caused injuries and the injured has been discharged from the hospital. He would further submit that the investigation of the case is pending and hence, he strongly objected to grant bail to the petitioners.

5. Taking into consideration of the facts and submissions made by the learned counsels and that the injured was discharged from the hospital and that the petitioners are in judicial custody from 03.12.2022, this Court is inclined to grant bail to the petitioners subject to the following conditions:

(a) Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarankoil, 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 petitioners shall stay at Vilathikulam and report before the Vilathikulam Police station, daily at 10.30 a.m., until further orders;

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

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

(f) the petitioners 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 petitioners 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];



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

sd/-

13/12/2022

/ TRUE COPY /

13/12/2022

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

TO

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

COPY TO:

THE INSPECTOR OF POLICE,
VILATHIKULAM POLICE STATION,
VILATHIKULAM.

ORDER

IN

CRL OP(MD) No.21990 of 2022
Date :13/12/2022

TRP

SA/SSS/SAR. /13.12.2022/3P/7C