



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/02/2023
PRESENT

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

CRL OP(MD) . No.1893 of 2023

P.Ramaraj

... Petitioner/Accused No.3

Vs

The State rep.by
The Inspector of Police,
Courtallam Police Station,
Tenkasi District.
(Crime No.401/2022).

... Respondent/Complainant

For Petitioner : M/s.VEERAPANDI S P,
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR,
Additional Public Prosecutor

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

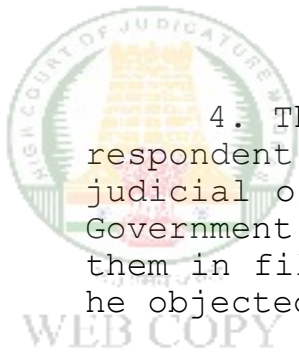
PRAYER :- For Bail in Crime No.401/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 08.01.2023 for the offence punishable under Sections 147,148,294(b),353,506(2) of in Crime No.401 of 2022 on the file of the respondent police, seeks bail.

2. The complainant is one Palaniselvi, the VAO of Melagaram Village. The case of the prosecution is that on 29.10.2022 at 1.30 pm., the defacto complainant and others went to the place of occurrence inorder to remove the encroachments made in the Government Poramboke land at Melakaram Village of Tenkasi with JCB as per the order of th e Government, at that time the petitioner and other beneficiaries have disturbed and prevented them from discharging their official duty and abused them in filthy language and threatened with dire consequences. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner a retired judicial officer and due to property dispute he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 08.01.2023 , hence he seeks bail.



4. The learned Additional Public Prosecutor appearing as respondent would submit that the petitioner who is a retired judicial officer along with other have disturbed and prevented the Government officials from discharging their official duty and abused them in filthy language and threatened with dire consequences, hence he objected to grant bail to the petitioner.

5. Heard. Perused the materials available on record including the First Information Report.

6. Taking into consideration of the facts and submissions made by the learned counsels and also taking into consideration the period of incarceration 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, Shencottah, Tenkasi District and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the 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 daily at 10.30 am., 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

01/02/2023

/ TRUE COPY /

01/02/2023

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



AAV
TO

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

COPY TO:

THE OFFICER INCHARGE,
GOVERNMENT HOSPITAL,
TIRUNELVELI MEDICAL COLLEGE, TIRUNELVELI.

+1. CC to M/S.VEERAPANDI P Advocate SR.No.1572

**ORDER
IN**

CRL OP(MD) No.1893 of 2023
Date :01/02/2023

SA/SSS/SAR. /01.02.2023/3P/8C