



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

Date : 08/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.4428 of 2023

WEB COPY

1. Guru Manikandan @ Manikandan,
S/o.Gurunathan,
Muthaligoundanur,
Kulithurai Taluk,
Karur District..

2. Deenadhayalan,
S/o.Rajagopal,
Gandhinagar, Perungamani,
Srirangam Taluk,
Trichy District..

3. Muthukumar,
S/o.Veeramani,
Thathagoundanpatty,
Marungapuri Taluk,
Trichy District..

4. Saravanakumar,
S/o.Mahamuni,
Ganapathy Ngaar, Sivayam Post,
Kulithalai Taluk, Karur District..

... Petitioners/Accused

Vs

The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District. Cr.No.55/2023.

... Respondent/Complainant

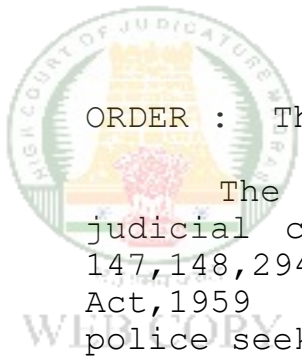
For Petitioners : M/s.Haroon Rasheed D.S.,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 55/2023 on the file of the Respondent
Police.



ORDER : The Court made the following order :-

The petitioners /A2 to A5 who were arrested and remanded to judicial custody on 25.02.2023 for the offences under sections 147,148,294(b),323,324,307 of IPC and section 25(1-A) of Arms Act,1959 in Crime No.55 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that due to some dispute regarding parking of car, there was a wordy quarrel in which the petitioners along with other accused abused the defacto complainant, assaulted him and also threatened with dire consequences.

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

4. Even according to the prosecution the petitioners attacked with iron road as such they sustained simple injuries and later discharged from the hospital. The learned Additional Public Prosecutor objected to grant bail to the petitioners on the ground that the petitioners are having previous cases.

5. Considering the nature of offence committed by the petitioners and also the period of incarceration, 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) with two blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrata Manaparai 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 petitioners shall stay at Thanjavur and report before the Thanjavur town south police daily at 10.30 a.m., and 5.30 pm., for a period of four weeks and thereafter before the respondent police for daily at 0.30 a.m., for a period of four weeks

[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
<https://www.court.gov.in/> 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 petitioners 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
08/03/2023

/ TRUE COPY /

08/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1. The Judicial Magistrate, Manaparai.
2. Do through, The Chief Judicial Magistrate,
Trichy District.
3. The Superintendent, Central Prison, Trichy
4. The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.
5. The Inspector of Police,
Thanjavur Town south Police Station,
Thanjavur
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s..HAROON RASHEED D.S., Advocate (SR-3625[I] dated
08/03/2023)

CRL OP(MD) No.4428 of 2023
Date :08/03/2023

ED/sbn(08.03.2023) 3P 8C

<https://www.mhc.tn.gov.in/judis>