



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

Date : 09/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.4478 of 2023

Dharmakartha @ Tharmakartha

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
Crime No.247/2022.

... Respondent/Complainant

For Petitioner : M/s.K.Dinesh, 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.247/2022 on the file of the Respondent Police.

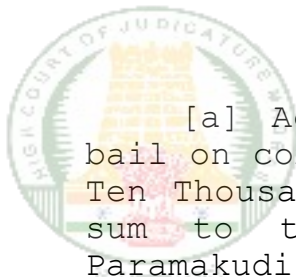
ORDER : The Court made the following order :-

The petitioner /A2 who was arrested and remanded to judicial custody on 21.12.2022 for the offence under section 302 of IPC in Crime No.247 of 2022 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the deceased and the accused involved in a case under section 307 of IPC and while returning from the Court consuming alcohol there was a quarrel in which the accused persons attacked the deceased and caused his death, hence the case.

3.Heard both sides and perused the materials available on record including the First Information Report.

4.Taking into consideration of the facts and submissions made by the learned counsels and also the fact that A1 was released on bail by this court on 03.03.2023 and also 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 blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Paramakudi 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 A.M. and 5.30P.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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

09/03/2023

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09/03/2023

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

AAV

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE, EMANESWARAM POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE OFFICER INCHARGE, RAMANATHAPURAM PRISON, RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.DINESH K, Advocate (SR-3763[I] dated 09/03/2023)

ORDER IN

CRL OP(MD) No.4478 of 2023

Date :09/03/2023