



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/03/2023

PRESENT

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

CRL OP(MD) . No.4656 of 2023

V.Rajalingam

... Petitioner/Sole Accused

Vs

The State rep.by,
Sub Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
Crime No.40 of 2023..

... Respondent/Complainant

For Petitioner : M/s.Suresh Manickam 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.40 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner /sole accused who was arrested and remanded to judicial custody on 02.02.2023 for the offences under sections 294(b), 307 and 506(ii) of IPC in Crime No.40 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that when the dispute between the petitioner and wife was questioned by the defacto complainant on 01.02.2023 the petitioner herein attacked the defacto complainant with weapon, caused injuries and thereby made an attempt to his life. Further he also threatened the defacto complainant with dire consequences, 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 circumstances of the case and also the period of incarceration and also the fact that the injured has been discharged from the hospital, 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, Radhapuram 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. for a period of two weeks and thereafter as and when required for interrogation.

[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/-

13/03/2023

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/03/2023

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



TO

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

ORDER
IN
CRL OP(MD) No.4656 of 2023
Date :13/03/2023

RK/SBN/SAR-(13/03/2023) 3P/6C