



WEB COPY

CRL OP(MD).



23

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

Date : 16/03/2023

PRESENT

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

CRL OP(MD) . No.4972 of 2023

Siva @ Rajarajan

... Petitioner/Accused No.1

Vs

State rep. by,
The Inspector of Police,
Thanjavur South Police Station,
Thanjavur District.
Cr.No.109/2023.

... Respondent/Complainant

For Petitioner : M/s.Navaneetharaja K,
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. 109/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 04.02.2023 for the offences punishable under Sections 294 (b), 324, 307 and 506(ii) of IPC r/w Section 4 of TNPHW Act in Crime No.109 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution, as per the de-facto complainant, is that when the de-facto complainant was going to temple, the accused persons have waylaid her and abused her in filthy language and also assaulted her with knife resulting in her sustaining injuries. 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 the injured was discharged from the hospital 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur 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., for a period of four 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/-

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/03/2023

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



TO

1. Judicial Magistrate No.I, Thanjavur.
2. Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
3. The Officer In-Charge, Sub Jail, Thanjavur.
4. The Inspector of Police,
Thanjavur South Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.NAVANEETHARAJA K, Advocate (SR-4415[I] dated
16/03/2023)

ORDER
IN
CRL OP(MD) No.4972 of 2023
Date : 16/03/2023

NA/SBN/SAR/16.03.2023/3P/7C