



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

Date : 15/03/2023

PRESENT

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

CRL OP(MD). No.4915 of 2023

Dineshkumar

... Petitioner / Accused No.2

Vs

The State rep by
The Inspector of Police,
Natchiyarkovil Police Station,
Thanjavur District.
(Crime No.89/2023).

... Respondent / Complainant

For Petitioner : M/s.Karunakaran K.M., Advocate.

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

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

PRAYER :-

For Bail in Cr No.89/2023 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 31.01.2023 for the offences under sections 294(b), 341,506(ii) of IPC r/w.section 25(1-A) of Arms Act,1959 in Crime No.89 of 2023 n the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner along with other accused said to have possessed long aruval and threatened the defacto complainant and abused him filthy language, hence the case.

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

4. It is seen that the petitioner possessed long aruval and threatened the witness in the case of 302 of IPC in which he is also accused. However the first accused was arrested and



released on bail by the lower Court. Taking into consideration the facts and submissions made by the learned counsels 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 No.II, Kumbakonam 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/-
15/03/2023

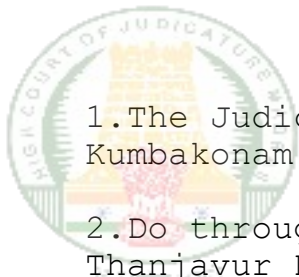
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15/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

To

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



1.The Judicial Magistrate No.II,
Kumbakonam.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Natchiyarkovil Police Station,
Thanjavur District.

4.The Superintendent,
Central Prison,
Trichy.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.KARUNAKARAN K.M., Advocate (SR-4301[I] dated
15/03/2023)

ORDER

IN

CRL OP(MD) No.4915 of 2023

Date :15/03/2023

ED/SBN/SAR- (15/03/2023) 3P 7C