



WEB COPY

CRL OP(MD).



23

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

Date : 29/03/2023

PRESENT

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

CRL OP(MD) . No.5770 of 2023

1. Saranraj @ Saran
2. Parthiban

... Petitioners/Accused No.3 & 5

Vs

State rep. by,
The Inspector of Police,
Town Police Station,
Pudukottai,
Pudukottai District.
Crime No.27 of 2023.

... Respondent/Complainant

For Petitioners : M/s.Mathavan G,
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.27 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A3 and A5 who were arrested and remanded to judicial custody on 16.01.2023 for the offences under sections 147, 148, 341, 294(b), 307, 506(ii) and 302 of IPC in Crime No.27 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution, as per the de-facto complainant, Vanitha is that due to a previous enmity, with regard to taking a TASMAL bar, the accused have joined together and waylaid her son and his friends and assaulted them with aruval and wooden log indiscriminately, due to which, her son and his friends sustained injuries. Thereafter, her son was admitted in a hospital.

<https://www.judis.nic.in>



Thereafter, the son of the de-facto complainant succ¹ to injuries on 02.02.2023. Hence, the case.

3. Heard both sides and perused the materials available on record, including the First Information Report. The learned Additional Public Prosecutor would submit that there is a proposal to detain the petitioners under Act.14 of 1982

4. Taking into consideration the facts and submissions made by the learned counsels and also the period of incarceration and also the fact that some of the co-accused were granted bail, 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) each with two blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Pudukottai 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 Theni and report before the Theni Town Police Station everyday at 10.30 and 05.30 pm for a period of two weeks and thereafter report before the respondent police daily at 10.30 A.M. until further orders.

[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 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 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/-
29/03/2023

/ TRUE COPY /

29/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. Judicial Magistrate No.I, Pudukottai.
2. Do through the Chief Judicial Magistrate,
Pudukottai District.
3. The Officer In-Charge, District Prison, Pudukottai.
4. The Inspector of Police,
Town Police Station, Pudukottai,
Pudukottai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Inspector of Police,
Theni Town Police Station,
Theni.

+1 CC to M/s.G.MATHAVAN, Advocate (SR-5046[I] dated 29/03/2023)

ORDER
IN
CRL OP(MD) No.5770 of 2023
Date : 29/03/2023

NA/MMS/SAR- /29.03.2023/3P/8C