



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/04/2023

PRESENT

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

CRL OP(MD) . No.6638 of 2023

Masanam, ... Petitioner/Petitioner
/ Petitioner/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Seithur Police Station,
Virudhunagar District.
(In Crime No.18/2023).. ... Respondent/Respondent/Respondent
/Complainant

For Petitioner : M/s.Balasubramanian N, 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.18 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A7 who was arrested and remanded to judicial custody on 25.01.2023 for the offences under sections 147,148,341,294(b),324,363,506(ii) and 302 of IPC in Crime No.18 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the defacto complainant's son and A1 and A2 are friends and the defacto complainant's son had given a sum of Rs.15,000/- to A1 and when the defacto complainant demanded the said amount, there was a wordy quarrel and due to which on 22.01.2023 at about 8.30 pm., when the defacto complainant went to get the amount from A1, the petitioner along with other accused unlawfully assembled together with weapons , waylaid the son of the defacto complainant abused him, kidnapped him and all the accused stabbed him with knife and caused

<https://www.mca.gov.in> hence the case.



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

4. 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, Rajapalayam 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 stay at Aundipatti and report before the Aundipatti police station daily at 10.30 A.M. and 5.30P.M., for a period of two weeks and thereafter before the respondent police daily at 10.30 a.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/-
11/04/2023

/ TRUE COPY /

11/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



- 1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
SEITHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE INSPECTOR OF POLICE
AUNDIPATTI POLICE STATION,
AUNDIPATTI,
THENI DISTRICT.

ORDER
IN
CRL OP(MD) No.6638 of 2023
Date :11/04/2023

PKP/SSS/SAR- /11.04.2023/ **3P/7C**