



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

Date : 28/04/2023

PRESENT

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

CRL OP(MD) . No.8076 of 2023

Dhanapal

... Petitioner/Sole Accused

Vs

State through
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
Crime No. 141/2023.

... Respondent/Complainant

For Petitioner : M/s.Krishnaveni.P,
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.141 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 04.03.2023 for the offences under sections 294 (b), 307 of IPC r/w.25(1B)(a) of Arms Act, 1959 in Crime No.141 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the due to civil dispute there was a wordy quarrel in which the petitioner herein abused the defacto complainant in filthy language and went inside the house and took a double barrel gun and shot him and caused injuries on his left side rib, left side elbow and right thigh, 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 by the learned counsels 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 No.I, Dindigul 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 Shengottai and report before the Shengottai Police Station daily at 10.30 am., and 5.30 pm., for a period of four weeks and thereafter before the respondent police daily at 10.30a.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/-
28/04/2023

/ TRUE COPY /

28/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

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



TO

1. The Judicial Magistrate No.I, Dindigul.
2. Do through the Chief Judicial Magistrate,
Dindigul.
3. The Superintendent, District Jail, Dindigul.
4. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Inspector of Police,
Shengottai Police Station.

+1 CC to M/s.KRISHNAVENI.P, Advocate (SR-6969[I] dated 28/04/2023)

ORDER

IN

CRL OP(MD) No.8076 of 2023

Date : 28/04/2023

NA/SSS/SAR- /28.04.2023/3P/8C