



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2023

PRESENT

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

CRL OP(MD) . No.7752 of 2023

1. Gowtham,
2. Mathankumar

... Petitioners/Accused No.2 & 3

Vs

The State represented by
The Inspector of Police,
Vengamedu Police Station,
Karur District.
Crime No. 135 of 2023.

... Respondent/Complainant

For Petitioners : M/s.Karuppasamy Pandiyan.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 Crime No.135 of 2023 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioners /A2 and A3 who were arrested and remanded
to judicial custody on 07.04.2023 for the offences under sections
294(b), 506(ii) of IPC and section 4(a) of Explosives Substances
Act, 1908 in Crime No.135 of 2023 on the file of the respondent
police seek bail.

2. The case of the prosecution is that due to previous enmity
regarding misappropriation of money the petitioner along with other
accused said to have hurled a petrol bomb in front of the house of
the defacto complainant, which got exploded, hence the case.

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

<https://www.mhc.tn.gov.in/judis>
4. Taking into consideration the facts and submissions made by
the learned counsels and also the period of incarceration and also



the fact that no one sustained injuries in the said occurrence, 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Karur 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 Andipatti Police Station daily at 10.30 a.m., and 5.30 pm., for a period of two weeks and thereafter before report respondent police daily at 10.30 A.M. for a period of two weeks and thereafter as and when required for interrogation.

[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/-

25/04/2023

/ TRUE COPY /

25/04/2023

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

AAV

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR.

3 THE INSPECTOR OF POLICE
VENGAMEDU POLICE STATION, KARUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, KARUR.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

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

+1 CC to M/s.KARUPPASAMY PANDIYAN.G, Advocate (SR-6509[I] dated
25/04/2023)

ORDER

IN

CRL OP(MD) No.7752 of 2023

Date :25/04/2023

SS/VR/SAR /25/04/2023/3P/8C