



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

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8701 of 2023

1. Rasu
2. Kumaran @ Nagamuthukumaran
3. Chandru @ Chandrasekar
4. Saravanan @ Airtle Saravanan,
@ Chella Saravanan

... Petitioners/
Accused 1, 2, 3 & 9

Vs

State through
The Sub Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
In Crime No.95 of 2023.

... Respondent/Complainant

For Petitioner : M/s. Balamurugapandi.D,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.95 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /Accused 1, 2, 3 & 9 who were arrested and remanded to judicial custody on 28.04.2023 for the offences punishable under Sections 147, 148, 294(b), 324, 506(ii) IPC and 3 (1), 4 of PPDL Act in Crime No.95 of 2023 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the accused persons due to some business motive scolded the defacto complainant in filthy language and attacked him.

<https://www.mca.gov.in>



3.The learned counsel appearing for the petitioner would submit that the petitioners are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the injured has been discharged from the hospital.

5. Taking into consideration of the facts and submissions made by the learned counsels, 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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Rameshwaram, Ramanathapuram District, 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 report before the respondent police every Wednesday 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.

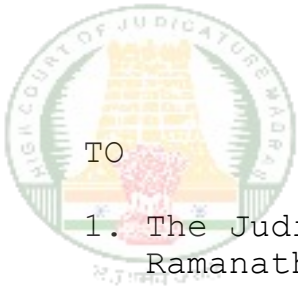
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17/05/2023

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18/05/2023

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



TO

1. The Judicial Magistrate, Rameshwaram,
Ramanathapuram District.
2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.
3. The Officer In-Charge,
District Jail, Ramanathapuram.
4. The Sub Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-7447[I] dated
17/05/2023)

ORDER IN
CRL OP(MD) No.8701 of 2023
Date : 17/05/2023

NA/VR/SAR- /18.05.2023/3P/7C