



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/05/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD) . No.9373 of 2023

1.Maniprakash

2.Prakash @ Prakash Raj

... Petitioners/Accused Nos.1&2

Vs

State Rep.by

The Inspector of Police,

Kallal Police Station,

Sivagangai District.

Cr.No.34/2023.

... Respondent/Complainant

For Petitioners : M/s.A.Balaji
Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 34/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / A1 & A2 who were arrested and remanded to judicial custody on 06.03.2023 for the offences under sections 147, 148, 294(b), 342, 323, 324, 307 and 506(ii) of IPC @ Section 147, 148, 294(b), 342, 323, 324, 307, 506(ii) of IPC and 302 of IPC in Crime No.34 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that due to some previous enmity, on the date of occurrence, the petitioners along with other accused persons, attacked the defacto complainant with deadly weapons. Hence the complaint.

3. The learned Additional Public Prosecutor submitted that there was a quarrel between the petitioners and the defacto complainant.



complainant due to some previous enmity. The petitioners had the defacto complainant with bottle. Investigation in this case is almost completed. Accused Nos.3 to 6 were already released on bail by the Sessions Court.

4. Heard both sides. Perused the materials available on record including the First Information Report.

5. Taking into consideration of the facts and submissions made by the learned counsels and also the fact that accused Nos.3 to 6 were already released on bail and investigation has almost completed and charge sheet is also made ready, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Karaikudi, and on further conditions that :-

[a] 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.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two months and thereafter as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned 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 are 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

24/05/2023

/ TRUE COPY /

24/05/2023

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



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TO

- 1 THE JUDICIAL MAGISTRATE,
KARAIKUDI.
 - 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
KALLAL POLICE STATION, SIVAGANGAI DISTRICT.
 - 4 THE OFFICER INCHARGE,
SUB JAIL, RAMANATHAPURAM.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.BALAJI.A Advocate SR.No.7812(I)

ORDER
IN
CRL OP(MD) No.9373 of 2023
Date :24/05/2023

PKP/ /SAR- /24.05.2023/ **3P/7C**