



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/05/2023

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.9403 of 2023

Bala @ Balamurugan ... Petitioner/ Sole Accused

Vs

State represented by
The Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
Cr.No.99/2023.

... Respondent/Complainant

For Petitioner : M/s.T.Veerakumar,
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. 99/2023 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 02.05.2023 for the offences under sections 294 (b),323, 427 and 506(ii) of IPC @ 294(b),323, 506(ii) of IPC and 3 (1) of TNPPDL Act, in Crime No.99 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the the petitioner has attacked the defacto complainant using stone for his speech in a public meeting. The defacto complainant sustained injury in this incident. Hence the complaint.



3. The learned Additional Public Prosecutor submitted the injured in this case has been discharged from the hospital.

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

WEB COPY

5. Taking into consideration of the facts and submissions made by the learned counsels and also considering the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his 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 Court, Rameshwaram, Ramanathapuram District, 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 his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 30 days and thereafter as and when required for interrogation.

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

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

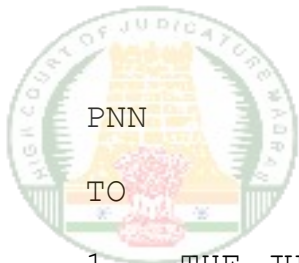
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid 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 /

/05/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



WEB COPY

1 THE JUDICIAL MAGISTRATE,
RAMESHWARAM, RAMANATHAPURAM DISTRICT.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
RAMESWARAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

4 THE OFFICER INCHARGE
DISTRICT PRISON, RAMANATHAPURAM.

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

+1 CC to M/s.VEERAKUMAR T, Advocate (SR-7792[I] dated 24/05/2023)

ORDER
IN
CRL OP(MD) No.9403 of 2023
Date :24/05/2023

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