



WEB COPY

CRL OP(MD). N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2023

PRESENT

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

CRL OP(MD). No.10414 of 2023

1. Sekar
2. Pandi
3. Indira

... Petitioner/Accused Nos.2,9 & 22

Vs

State Rep.by
The Inspector of Police,
Koodakovil Police Station,
Madurai District.
(Crime No.79 of 2023).

... Respondent/Complainant

For Petitioners : M/s.S.Arokiya Selva Ramesh,
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.79 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A2,9 and 22 who were arrested and remanded to judicial custody on 26.05.2023 for the offences under sections 147, 148, 341, 294(b), 323, 324, 336, 355, 307, 506(ii) of IPC in Crime No.79 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that due to previous enmity all the accused persons unlawfully assembled together, abused and attacked the defacto complainant and also threatened him with dire consequences, due to which he sustained injuries, 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 made by the learned counsels and also the fact that it is a case and case

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



in counter and the fact that the injured has been discharged from the hospital and also the period of incarceration 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, Thirumangalam, Madurai 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 first and second petitioner alone shall report before the respondent police daily at 10.30 A.M. for a period of two weeks and thereafter as and when required for interrogation. The third petitioner shall report before the respondent police 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/-

14/06/2023

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14/06/2023

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

AAV

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.



4 THE INSPECTOR OF POLICE, KODAKOVIL POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.S.AROKIYA SELVA RAMESH, Advocate (SR-8682[I] dated
14/06/2023)

ORDER

IN

CRL OP(MD) No.10414 of 2023

Date :14/06/2023

RS/VR/SAR-(14.06.2023) 3P 7C