



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 13.06.2023
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP (MD) No.10354 of 2023

1.Surya @ Suryamanikandan

2.Muthukumar

... Petitioners/Accused 1 & 2

Vs

State rep by
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
In Crime No.178 of 2023

... Respondent/Complainant

For Petitioners : Mr.B.MUTHUKANNAN, Advocate

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor.

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

PRAYER:- For Bail in Crime No.178 of 2023 on the file of the Respondent police.

ORDER: The Court made the following order :-

The petitioners/accused, who were arrested and remanded to judicial custody on 20.05.2023 for the offence punishable under Sections 147, 148, 294(b), 326, 442 and 307 IPC, in Crime No.178 of 2023 on the file of the respondent police, seek bail.

2.The case of the prosecution is that there existed matrimonial dispute between the defacto complainant's husband's brother and his wife. Due to the same, the accused persons attacked the defacto complainant and her husband and also abused in filthy language. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that A5 and A7 were arrested and released on bail.



4.The learned Additional Public Prosecutor would submit that the injured person had been discharged from the hospital.

5.Considering the above facts and also the facts that the petitioners are in judicial custody from 20.05.2023, this Court is inclined to grant bail to the petitioners with certain 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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivakasi.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall report before the respondent police daily at 10.30 am., until further orders;

(iii)the petitioners shall not tamper with evidence or witness;

(iv)the petitioners shall not abscond during trial;

(v)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 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]**.

(vi)If the accused / petitioners thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

13/06/2023

/ TRUE COPY /

13/06/2023

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

GNS

TO

1 THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

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



3 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

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

ORDER

IN

CRL OP(MD) No.10354 of 2023

Date :13/06/2023

SA/SSS/SAR. /13.06.2023/3P/6C