



CRL OP(MD). No.15137 of 2023

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

Date : 21/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15137 of 2023

Balakrishnan @

Thirumala Konda Balakrishnan

... Petitioner / Sole Accused

Vs

The State rep by
The Inspector of Police,
Traffic Investigation Wings - II Police Station,
Madurai District.
(Crime No.215 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.G.Balaji, Advocate

For Respondent : Mr.B.Nambiselvan

Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.215 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused herein, who were arrested on 02.08.2023, for the alleged offences under Sections 279, 337, 427 and 304(ii) (2 Counts) of IPC in Crime No.215 of 2023, on the file of the respondent police, seeks bail.

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



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2. The case of the prosecution is that the defacto complainant's husband was working as line supervisor at Vandiyur Toll Plaza. On 30.07.2023 at about 12.16 p.m., when the defacto complainant's husband was on duty at lane No.2, the petitioner has driven the Ashok Leyland lorry bearing registration No.AP16 TH 2629 in a rash and negligent manner, thereby hit the counter at lane 2 and dashed against an Omni van. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case and hence he seek for the relief of bail.

4. The learned Additional Public Prosecutor would submit that originally the case was registered against the petitioner under Sections 279, 337, 427 and 304(A) of IPC and then it was altered to the present offences. While remanding the petitioner, it appears that the offences were altered to Sections 279, 337, 427 and 304(ii) (2 Counts) of IPC.

5. Considering the facts and circumstances of the case and also considering the fact that the occurrence said to have taken place due to rash and negligent driving, this Court is inclined to grant relief to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a personal bond for a sum of



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Rs.10,000/- (Rupees Ten Thousand only) with two local sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.6, Madurai, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
21/08/2023

/ TRUE COPY /

22/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

To

- 1.The Judicial Magistrate No.VI,
Madurai.
- 2.Do through the Chief Judicial Magistrate,
Madurai District.
- 3.The Inspector of Police,
Traffic Investigation Wings-II Police Station,
Madurai District.
- 4.The Superintendent,
Central Prison, Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.ASHOK, Advocate (SR-12536[I] dated 21/08/2023)



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ORDER

IN

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Date :21/08/2023

ED/ /SAR- (22/08/2023) 4P / 7 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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