



CRL OP(MD). No.617 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.617 of 2024

Suresh @ Sureshkumar

... Petitioner / Sole Accused

Vs

The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.
Crime No.367 of 2023.

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate.

For Respondent : Mr.B.Nambiselvan, Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in Crime No.367 of 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 from 11.12.2023 for the offence punishable under Sections 294(b), 324, 506(2) and 436 of I.P.C. in Crime No.367 of 2023, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner attacked the defacto complainant with wooden log and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the



CRL OP(MD). No.617 of 2024

petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is willing to abide by any conditions imposed by this Court and accordingly, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation is going on.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and also considering the fact the period of incarceration, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thanjavur, Thanjavur 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 their Aadhar card or Bank pass Book to ensure their identity;

(b) The petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.367 of 2023 before the learned Judicial Magistrate No.III, Thanjavur, Thanjavur District and on such deposit, the learned



CRL OP(MD). No.617 of 2024

WEB COPY

Judicial Magistrate shall disburse the same to the defacto complainant after obtaining a proper affidavit. In the event of petitioner succeeds in the criminal case, the petitioner will be entitled for the refund of the said amount.

(c) the petitioner is directed to appear before the respondent Police as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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 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]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/01/2024

/ TRUE COPY /

12/01/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.617 of 2024

TSG
WEB COPY
TO

1 THE JUDICIAL MAGISTRATE NO.III, THANJAVUR.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE, SUB JAIL, PAPANASAM, THANJAVUR DISTRICT.

4 THE INSPECTOR OF POLICE, SENGIPATTI POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-682[I] dated 12/01/2024)

ORDER
IN

CRL OP(MD) No.617 of 2024

Date :12/01/2024

RS//SAR-(12.01.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023