



CRL OP(MD). No.6297 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6297 of 2024

Prabakaran

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Sankarankoil Town Police Station,
Tenkasi District.
(Crime No.87/2024).

... Respondent/Complainant

For Petitioner : Mr.K.K.Samy, Advocate
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.87/2024 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who was arrested on 21.03.2024, for the offence under Sections 294(b), 323, 324, 506(ii) @ 307 r/w 34 IPC in Crime No.87 of 2024, on the file of the respondent Police seeks bail.

2. The case of the prosecution is that the accused persons and the defacto

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



CRL OP(MD). No.6297 of 2024

complainant are neighbours and there was a pathway dispute among them. On 14.03.2024, at about 4.30 p.m., the accused persons have obstructed the common pathway by putting up some construction materials and the same was objected by the defacto complainant. In the said commotion, the petitioner along with other accused have abused and assaulted the defacto complainant and his father and also threatened them with dire consequences.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Owing to a pathway dispute between the parties, a false case has been foisted. The petitioner has been arrested and he is languishing in jail from 21.03.2024. Hence, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the investigation is yet to be completed. However, he fairly submitted that the injured has sustained only simple injuries and that he has also been discharged from the hospital.

5. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner.



CRL OP(MD). No.6297 of 2024

WEB COPY

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on the following conditions:

i) The petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarankovil;

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) The petitioner shall appear before the respondent Police, daily at 10.30 a.m. for a period of two weeks and thereafter shall appear as and when required by the respondent police. The petitioner has to co-operate for the investigation;

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well;

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
24/04/2024

/ TRUE COPY /

24/04/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.6297 of 2024

PNM
TO
WEB COPY

1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL JAIL, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE, SANKARANKOVIL TOWN POLICE STATION,
TENKASI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.6297 of 2024

Date :24/04/2024

RS//SAR-(24.04.2024) 4P 6C

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