



CRL OP(MD). No.7424 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.05.2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD). No.7424 of 2024

T.Sundarapandian

... Petitioner/2nd Accused

versus

The State Rep. by
The Inspector of Police,
Pappakudi Police Station,
Tenkasi District.
(Crime No. 138 OF 2024)

... Respondent/ Complainant

For Petitioner : Mr.S.Muniyandi, Advocate

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.138 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A2, who was arrested and remanded to judicial custody on



CRL OP(MD). No.7424 of 2024

02.05.2024 for the offences under Sections 341, 294(b), 307 and 506(ii) IPC, in Crime No.138 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity between A1 and the defacto complainant, the accused persons conspired together and attacked the defacto complainant by using knife. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 02.05.2024. Hence, he prays for grant of bail to the petitioner. He further submits that in the alleged occurrence, the defacto complainant has not sustained any injury.

4. The learned Additional Public Prosecutor submits that in this case, investigation was completed and charge sheet has also been filed before the jurisdictional Court. He further submits that the petitioner is not having any previous case.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration and also considering the fact that charge sheet has also been filed before the jurisdictional Court, this court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is



CRL OP(MD). No.7424 of 2024

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 learned Judicial Magistrate, Alankulam 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 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.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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 is 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].



CRL OP(MD). No.7424 of 2024

WEB COPY

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/05/2024

/ TRUE COPY /

22/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

- 1 THE JUDICIAL MAGISTRATE,
ALANKULAM.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PAPPAKUDI POLICE STATION,
TENKASI DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.



CRL OP(MD). No.7424 of 2024

WEB COPY

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

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-5572[I] dated 22/05/2024)

ORDER
IN
CRL OP(MD) No.7424 of 2024
Date :22/05/2024

PKP/22.05.2024/ 5P/7C

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