



CRL OP(MD). No.9951 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9951 of 2024

Lakshmanan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No.147/2024.)

... Respondent/Complainant

For Petitioner : Mr.K. Rajesh, Advocate.

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

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

PRAYER :- For Bail in Crime No. 147/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 16.06.2024 for the offences punishable under Sections 294(b), 324, 307 and 506(ii) of IPC in Crime No.147 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity between the petitioner and the defacto complainant, the petitioners abused the defacto



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complainant in filthy language and also attacked him with knife and caused injuries.

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Thereby, he was admitted in the Hospital. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioner is an innocents and he has been falsely implicated in this case. He would further submit that to wreck vengeance, the defacto complainant given a false complaint against the petitioner. He would further submit that the injured was discharged from the hospital and the petitioner is in custody from 16.06.2024. Hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would strongly oppose this petition on the ground that the investigation is pending. However, he would further submit that the injured was discharged from the hospital.

5.Considering the period of incarceration and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 Judicial Magistrate, Melur.



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(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 petitioner shall report before the respondent police daily at 10.30 a.m., until further orders

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

iv) the petitioner 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 petitioner 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 thereafter abscond, a fresh FIR can be registration under Section 229A IPC.

sd/-
05/07/2024

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05/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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To

1.The Judicial Magistrate,
Melur.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Keelavalavu 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.K.RAJESH, Advocate (SR-7484[I] dated 05/07/2024)

ORDER
IN

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Date :05/07/2024

ED/ /SAR- (05/07/2024) 4P / 7C

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