



WEB COPY

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

Date : 31/08/2020

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9111 of 2020

1. Balasubramanian  
2. Nagaraj

... Petitioners/Accused No.1&2

Vs

The State rep. by  
The Inspector of Police,  
Illuppur Police Station,  
Pudukkottai District.  
(Cr No. 188/2020).

... Respondent/Complainant

For Petitioners : M/s.D.Rameshkumar,  
Advocate.

For Respondent : Mr.M.Chandrasekaran,  
Additional Public Prosecutor

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

**PRAYER :-**

For a Bail in Crime No. 188 of 2020 on the file of the respondent police

**ORDER :** The Court made the following order :-

The petitioners/A1 and A2 herein were arrested on 17.08.2020 for the alleged offences under Sections 294(b) and 307 of IPC.

2. The petitioners and the injured are closely related. The case of the prosecution is that there was a wordy quarrel between the parties regarding using of cell phone, due to which all the petitioners said to have attacked the defacto complainant and caused injuries. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in the above case. He would also submit that the injured was



discharged from the hospital.

4. The learned Additional Public Prosecutor would submit that due to wordy quarrel the petitioners herein attacked the defacto complainant and caused injuries. The injured in this case is the sister's father-in-law of the petitioner and was also discharged from the hospital.

5. Taking note of the above facts and circumstances of the case and also taking note of the relationship of the petitioners and the occurrence is said to have taken place in a wordy quarrel and also the fact that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Ilupur, Pudukottai District

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 petitioners shall report before the respondent police as and when required for interrogation.

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners 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 petitioners 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].

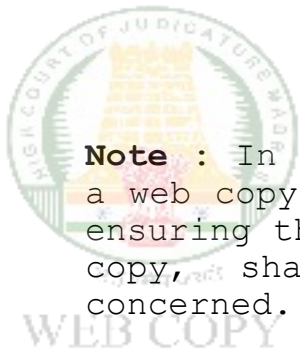
vi) If the petitioners/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
31/08/2020

/ TRUE COPY /

/ /2020

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



**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE,  
ILUPUR,  
PUDUKOTTAI DISTRICT.
- 2 -DO- THRO-: THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI DISTRICT.
- 3 THE OFFICER IN CHARGE,  
DISTRICT PRISON,  
PUDUKKOTTAI.
- 4 THE INSPECTOR OF POLICE,  
ILLUPPUR POLICE STATION,  
PUDUKKOTTAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.9111 of 2020  
Date :31/08/2020

AAV  
SRS/ JC/ SAR-II/ 31.08.2020/ 3P/6C