

IN THE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE,  
RAMANATHAPURAM.

PRESENT: Thiru.R.Shanmugasundaram, B.Com., L.L.B.,  
Principal District and Sessions Judge,  
Ramanathapuram.

திருவள்ளூர் ஆண்டு 2052 தமிழ் ஸ்ரீ பிலவ ஆண்டு ஆடி மாதம் 04-ம் நாள் செவ்வாய்கிழமை

Tuesday, the 20<sup>th</sup> day of July 2021

Cr.M.P.No. 1450 of 2021

(CNR No. TNRM-01-001889-2021)

Karthik, aged about 33 years, S/o. Boomiraj @ Boominathan, Sampagulam Village,  
Mudukulathur Taluk, Ramanathapuram District.

...Petitioner/ Accused

/vs/

State, through the Inspector of Police,  
Keelathooval P.S.  
in Cr.No. 160/2021

...Respondent/Complainant

For petitioner : Thiru.N.Chandran, Advocate.  
For respondent : Thiru.K.N. Karunakaran, Public Prosecutor,

**E.BAIL PETITION FILED FOR BAIL U/S 439 Cr.P.C.**  
**ORDER**

The e.bail application is filed by the Petitioner/Accused in Cr.No. 160/2021 on the file of the respondent police. Notice for the said e. bail application is given to the Learned Public Prosecutor.

The e. bail application is taken for hearing in view of the country wide lock-down announced by the Union Government and the State Government in view of COVID-19 threat perception and hearing of the bail application is made through Microsoft Teams Meet, sitting in open Court and connected through Microsoft Teams Meet to connect to both sides counsels through the technology support of the System Officer.

Both sides arguments were heard through Microsoft Teams Meet Call.

The respondent police has filed a case against the petitioner in Crime No. 160/2021 under sections 294 (b) and 307 of Indian penal Code.

The prosecution case is that there was a dispute between the petitioner and the de-facto complainant, in respect of payment of money towards purchase made by the de-facto complainant from the accused, he used filthy languages and poured 5 liters petrol on the de-facto complainant and attempted to murder him on 05.07.2021.

The learned counsel for the petitioner would submit that the petitioner has falsely been implicated in this case and the petitioner is an innocent. The petitioner is running a grocery shop. There was the dispute between them, the false case has been foisted against him. This is a case and case in counter. He has no previous case and he is in no way connected with this case. Further, none was injured in this case and most of the investigation is completed and he prays to grant bail to the petitioner.

The learned Public Prosecutor has submitted that the petitioner is the sole accused in this case. The petitioner and the de-facto complainant are the same villagers. The petitioner is running a grocery shop. There was the dispute between them, with regard to payment of money, the petitioner used filthy languages and poured 5 liters petrol on the de-facto complainant and attempted to murder him on 13.07.2021. The counter case has been registered against the de-facto complainant in Crime No.161 of 2021. Further, none was injured in this case and the investigation is under progress. Hence, he strongly objected to grant bail to the petitioner.

Upon consideration of both side submissions, the nature of the offence, overt-act as against the petitioner, none was injured in this case and progress of the investigation, this Court is inclined to grant bail to the petitioner with conditions.

Accordingly, the petitioner is granted bail and he is ordered to be released on bail on execution of bond for Rs.20,000/- with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Mudukulathur. Further the petitioner should adhere to the following conditions that:

1. the petitioner make himself available for interrogation by the investigating officer as and when required during the condition period.
2. the petitioner shall not leave India without prior permission of the Court.

- 3) the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., until further orders.
- 4) the sureties shall affix their photographs and left thumb impression in the sureties bond and the Magistrate may obtain a copy of their Aadhar Cards or Bank Pass Book to ensure their identities.
- 5) the petitioner shall not tamper with evidence or witness during the trial.
- 6) the petitioner shall not abscond during the trial.
- 7) If the petitioner fails to comply the above said conditions the bail order shall stand cancelled automatically.
- 8) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court as the case may be, is entitled to take appropriate action against the petitioner in accordance with Law as if the conditions imposed have been violated 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).

Pronounced by me in open Court this the 20<sup>th</sup> day of July 2021.

Sd/- R.Shanmugasundaram,

Principal District and Sessions Judge,  
Ramanathapuram.

Copy to

The Judicial Magistrate, Mudukulathur .

The Public Prosecutor, Ramanathapuram.

The Inspector of Police, Keelathooval P.S.

The Advocate concerned.

The Superintendent, District Prison, Ramanathapuram