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CRL OP(MD). N



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

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17864 of 2022

Dinesh,

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
(Crime No.194 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Anand.K, Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.194 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded judicial custody on 22.07.2022 for the offences punishable under Sections 341, 294(b), 506(2) and 307 of IPC, in Crime No.194 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is an auto driver. The petitioner informed the defacto complainant to pick him to the District Court, Tirunelveli, which was refused by him. Due to that, the petitioner abused the defacto complainant in filthy language and attempted to attack him by using aruval.



3.The learned counsel for the petitioner submits the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.side) appearing for the respondent submits that investigation is almost completed and also submits that the petitioner is having five previous cases.

5.Taking into consideration the facts and circumstances of the case and also considering the fact that investigation is almost completed, this Court is inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.V, Tirunelveli.

(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 stay at Dharmapuri and report before the Dharmapuri Town Police Station daily at 10.30 a.m., for a period of eight weeks and thereafter appear before the respondent police as and when required for interrogation;

(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 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]**.

sd/-

06/10/2022

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06/10/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.V
TIRUNELVELI DISTRICT.



- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
MUNNEERPALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE INSEPCTOR OF POLICE
DHARMAPURI TOWN POLICE STATION,
DHARMAPURI DISTRICT.
- 5 THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.ANAND, Advocate (SR-10931[I] dated 06/10/2022)

ORDER
IN
CRL OP(MD) No.17864 of 2022
Date :06/10/2022

csm/aav
PKP/VR/SAR-4/06.10.2022/3P/8C