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CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.7515 of 2023

Selvakumar,

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Kallaperambur Police Station,
Thanjavur District.
Crime No.38 of 2023..

... Respondent/Complainant

For Petitioner : M/s.Dhilipan Pandian R.L.,Advocate.

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

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

PRAYER :-

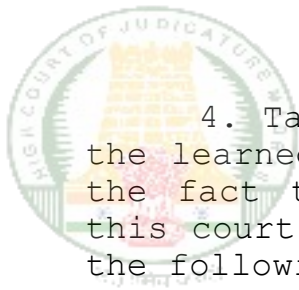
For Bail in Cr.No.38 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /sole accused who was arrested and remanded to judicial custody on 21.03.2023 for the offence under sections 294 (b), 324,307 and 506(ii) of IPC in Crime No.38 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that due to previous enmity the petitioner herein abused the defacto complainant assaulted him and also threatened with dire consequences.

3. Heard both sides and perused the materials available on record including the First Information Report. It is reported that 14 previous cases are pending against the petitioner.



4. Taking into consideration the facts and submissions by the learned counsels and also the period of incarceration and also the fact that the injured has been discharged from the hospital, this court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Thanjavur and on further conditions that:

[b] 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.

[c] the petitioner shall stay at Madurai and report before the Tallakulam Police Station daily at 10.30 am., and 5.30 pm., for a period of two weeks and thereafter report before the respondent police daily at 10.30 A.M. until further orders.

[d] the petitioner shall not commit any offences of similar nature.

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

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

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

sd/-
24/04/2023

/ TRUE COPY /

24/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1 THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.

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2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.

3 THE OFFICER INCHARGE
DISTRICT JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION,
MADURAI.

ORDER

IN

CRL OP(MD) No.7515 of 2023

Date :24/04/2023

PKP/SSS/SAR- /24.04.2023/ **3P/7C**