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CRL OP(MD).



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/05/2023

PRESENT

The Hon`ble Mrs.Justice R.KALAIMATHI

CRL OP(MD) . No.8611 of 2023

Saravanan

... Petitioner/Accused No.5

Vs

State Rep.by
The Inspector of Police,
Kallal Police Station,
Sivagangai District.
Cr.No.34/2023.

... Respondent/Complainant

For Petitioner : M/s.Karuna.V,A dvocate.
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.34/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A5 who was arrested and remanded to judicial custody on 06.03.2023 for the offences under sections 147,148,294 (b),342,323,324,307 and 506(ii) of IPC @ 147,148,294(b),342, 323, 324, 307, 506(ii) and 302 of IPC in Crime No.34 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 05.03.2023 at about 9.30 pm., the petitioner along with other accused unlawfully assembled together with deadly weapons and abused the defacto complainant and his friends in filthy language and wrongfully confined them and assaulted them with deadly weapons, in which one person died and other persons sustained injuries, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. Taking into consideration the facts and submissions made by the learned counsels and also the period of incarceration and also

<https://www.mhc.tn.gov.in/judis>



the fact that some of the co-accused were granted bail, the 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Karaikudi, Sivagangai District 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 report and sign before the learned Judicial Magistrate, Karaikudi, Sivagangai District on all working days 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 is 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/-

10/05/2023

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10/05/2023

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

AAV

TO

- 1 THE JUDICIAL MAGISTRATE, KARAISKUDI, SIVAGANGAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE OFFICER INCHARGE, DISTRICT JAIL, RAMANATHAPURAM DISTRICT.
- 4 THE INSPECTOR OF POLICE, KALLAL POLICE STATION,
SIVAGANGAI DISTRICT.



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

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RS/BUC/SAR-4 (10.05.2023) 3P 6C

ORDER

IN

CRL OP(MD) No.8611 of 2023

Date :10/05/2023