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CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/05/2023

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD) . No.9372 of 2023

Balasekar

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Vadakadu Police Station,
Pudukkottai District.
Cr.No.75/2023.

... Respondent/Complainant

For Petitioner : M/s.B.Jameelarsu,
Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

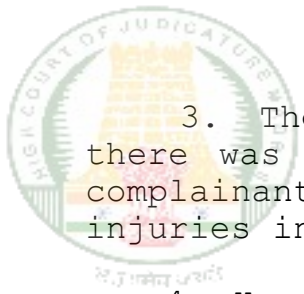
For Bail in Crime No. 75/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / A1 who was arrested and remanded to judicial custody on 11.05.2023 for the offences under sections 294(b) and 307 of IPC r/w 27(1) of Arms Act in Crime No.75 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are close relatives. There was some money transaction between them. The petitioner and other accused persons, for getting back the money, went to the defacto complainant's house, scolded her in filthy language and criminally threatened her. Hence

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3. The learned Additional Public Prosecutor submit at there was a wordy quarrel between the petitioner and the defacto complainant due to some money transaction and no one sustained injuries in the said occurrence.

4. Heard both sides. Perused the materials available on record including the First Information Report.

5. Taking into consideration of the facts and submissions made by the learned counsels and also the fact that no one has been injured in this case, this court is inclined to grant bail to the petitioner, subject to the following conditions:

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 learned District Munsif cum Judicial Magistrate Court, Alangudi, Pudukkottai District, and on further conditions that :-

[a] 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation.

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

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

[e] 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 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].

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

sd/-
24/05/2023

/ TRUE COPY /

24/05/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, ALANGUDI,
PUDUKKOTTAI DISTRICT
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
VADAKADU POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9372 of 2023
Date :24/05/2023

PKP/ /SAR- /24.05.2023/ **3P/6C**