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CRL OP(MD).



23

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

Date : 06/06/2023

PRESENT

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

CRL OP(MD) . No.9706 of 2023

Kaleeswaran

... Petitioner/Accused No.1

Vs

The State Rep.by
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
Crime No.121 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Murugan R,
Advocate.

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.121 of 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 25.04.2023 for the offence punishable under Sections 307 and 379 IPC in Crime No.121 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity between the parties, on 23.04.2023 at about 09.00 a.m., when the de-facto complainant was riding his two wheeler bearing Registration No.TN-65-S-1564 Splendor, near Perunkulam Toll Gate and one Satheeswaran was a Pillion rider in the said vehicle, the petitioner along with one Muneeskannan holding the knives in their hands and assaulted the de-facto complainant on his neck with billhook and when the same was warded off, he sustained injuries on his right wrist. The further allegation is that the petitioner also took away Rs.58,000/- and the two wheeler along with two mobiles. Hence, the



3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the above facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) by way of demand draft drawn in favour of the de-facto complainant directly, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate No.II, Ramanathapuram.

[b] on production of such receipt/acknowledgement, 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, Ramanathapuram, and on further conditions that:

[c] 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.

[d] the petitioner shall stay at Karur and report before the Inspector of Police, Karur Town Police Station, Karur daily at 10.30 a.m. and 05.30 p.m. until further orders.

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

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

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

[h] 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].



[i] If the accused thereafter absconds, a fresh FI registered under Section 229A IPC.

sd/-
06/06/2023

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

The Inspector of Police,
Karur Town Police Station,
Karur

+1 CC to M/s.R.MURUGAN, Advocate (SR-8138[I] dated 06/06/2023)

ORDER
IN
CRL OP(MD) No.9706 of 2023
Date :06/06/2023

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