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CRL OP(MD). A



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/06/2023

PRESENT

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

CRL OP(MD). No.11342 of 2023

1. Chinnathambi
2. Thamarai Kani
3. Muruganantham

... Petitioners/Accused 2 to 4

Vs

State Rep.by
The Inspector of Police,
Kallakudi Police Station,
Trichy District.
(Crime No.112 of 2023).

... Respondent/Complainant

For Petitioners : M/s.Lenin Kumar T,
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.112 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A2 to A4 who were arrested and remanded to judicial custody on 05.06.2023 for the offences under sections 294 (b), 395 r/w.397 of IPC in Crime No.112 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that the petitioners along with others came with deadly weapons and demanded money and when the defacto complainant refused to give the same, they scolded him in filthy language, attacked him with aruval and also had taken a sum of Rs.11,500/- from the defacto complainant, hence the case.

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



4. Taking into consideration of the facts and submissions by the learned counsels and also the period of incarceration and also the fact that the injured was treated as out patient, this court is inclined to grant bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Lalgudi 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 petitioners shall report before the respondent police daily at 10.30 A.M. for a period of three weeks and thereafter as and when required for interrogation.

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

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

[f] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

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23/06/2023

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

AAV

TO

1 THE JUDICIAL MAGISTRATE, LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE, KALLAKUDI POLICE STATION,
TRICHY DISTRICT.



CRL OP(MD).A



23

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-9503[I] dated 23/06/2023)

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ORDER

IN

CRL OP(MD) No.11342 of 2023

Date :23/06/2023

RS/SSS/SAR-(23.06.2023) 3P 7C