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CRL OP(MD). No.13232 of 2023

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

Date : 25/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.13232 of 2023

T.Jeeva

... Petitioner/ Accused Rank No.1

Vs

State Rep.by
The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District
Crime No.426 of 2023.

... Respondent/ Complainant

For Petitioner : M/s. Dhilipan Pandian.R.L, Advocate
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.426 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested on 25.05.2023 for the alleged offence under Sections 294(b), 363, 394, 506(ii) IPC, in Crime No.426 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 24.05.2023 at about 03.00p.m., the accused persons abused and assaulted the defacto complainant and also snatched 1 ³/₄ sovereign gold chain along with 5 sovereign ring, cash Rs.22,000/- from him. They



also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. The petitioner is in custody from 25.05.2023. Hence, prays to release him on bail.

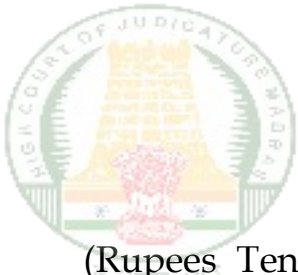
4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is not having 30 previous cases at his credit and prays to dismiss the petition.

5.In this regard, this Court directed the respondent to verify the previous cases pending against the petitioner and report before this Court today. However, the respondent did not appear before this Court. The learned Government Advocate (Crl.Side) submitted a list of cases showing the previous cases pending against the petitioner and stated that the petitioner is having only 19 previous cases at his credit.

6.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

7.Considering the facts and circumstances of this case, perusal of records and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/-



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(Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kumbakonam, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-
25/07/2023

/ TRUE COPY /

25/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE, SUB JAIL, KUMBAKONAM.
- 4 THE INSPECTOR OF POLICE, NACHIYARKOIL POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.13232 of 2023
Date :25/07/2023

RS//SAR-(25.07.2023) 3P 6C
Madurai Bench of Madras High Court is issuing
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