



CRL OP(MD). No.15752 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

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1. Veeraganesh,

2. Gogula Krishnan,

... Petitioners/ Accused Nos. 3 & 4

Vs

State Rep.by
The Inspector of Police,
Pattukkottai Town Police Station,
Pattukkottai,
Thanjavur District.
Crime No.486 of 2023..

... Respondent/Complainant

For Petitioners : M/s.Ramesh Kumar S,Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.486 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A3 and A4 who were arrested and remanded to judicial custody

on 26.07.2023 for the offences punishable under Sections 147, 148, 341, 294(b),
<https://www.mhjc.tn.gov.in/judis>



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324,307,506(ii) of IPC and Section 25(1-A) of Arms Act in Crime No.486 of 2023 on the file of the respondent Police, seek bail.

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2. The case of the prosecution is that due to previous enmity on 21.07.2023 the petitioners along with others unlawfully assembled together with deadly weapons, intercepted the two wheeler of the defacto complainant, poured chilly powder on the face and attacked him with deadly weapons due to which he sustained injuries, hence the case came to be registered.

3. The learned counsel appearing for the petitioners would contend that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners never involved in the said occurrence and they were only standing near the place and only A1 attacked the injured. He would further submit that the petitioners are in custody from 26.07.2023 and the injured has been discharged from the hospital hence they may be granted bail.

4. The learned Additional Public Prosecutor appearing for the respondent would contend that there are totally 11 accused in this case and the petitioners herein are arrayed as A3 and A4. Due to previous enmity the accused persons following the two wheeler of the defacto complainant threw chilli powder on the face and attacked him on his head. He would further submit that the injured has



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been discharged from the hospital, however he strongly objected to grant bail to the petitioners. However he fairly concedes that co-accused was granted bail by this Court.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side and considering the fact that the injured has been discharged from the hospital and the fact that co-accused was released on bail by this Court and considering the nature of offence and period of incarceration and all other aspects 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, Pattukottai and on further conditions that:

[b] the petitioners shall report before the respondent police every day at 10.00 am., until further orders.

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

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

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[f] 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].

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

sd/-
30/08/2023

/ TRUE COPY /

30/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV
TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
PATTUKKOTTAI TOWN POLICE STATION,
PATTUKKOTTAI,
THANJAVUR DISTRICT.

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



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4 THE OFFICER INCHARGE
DISTRICT JAIL, PUDUKKOTTAI

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

ORDER
IN
CRL OP(MD) No.15752 of 2023
Date :30/08/2023

PKP/SAR- /30.08.2023/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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