



CRL OP(MD). No.16015 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1.Alexandar

2.Arjunan

... Petitioners / Accused Nos.1 and 2

Vs

State represented by
The Inspector of Police,
Veeracholan Police Station,
Virudhunagar District.
Crime No. 41 of 2023.

... Respondent

For Petitioners : M/s.M.Pandian ,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.41 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioners / Accused herein, who was arrested on 05.08.2023 for the alleged offence under Sections 294(b), 341, 323, 150, 506(ii) of IPC and Section 25(1-A) of Arms Act, 1959, in Crime No.41 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 04.08.2023, at about 1.00 p.m., when the defacto complainant was proceeding to his house after worship, the accused persons alleged to have threatened the defacto complainant with deadly weapon, abused him in filthy language and attacked him. Hence the present complaint came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. Hence, they seek for the relief of bail.

4. The learned Additional Public Prosecutor would submit that while pending trial process in S.T.C.No.97 of 2023, on the file of the learned Judicial Magistrate, Thiruchuli, threat was made to the witnesses by these petitioners and along with other persons to withdraw the case. Based upon the incident, a FIR has been registered and the petitioners were arrested and remanded to judicial custody on



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05.08.2023 and ever since they are in custody. The first accused is having three previous cases and so far as the second petitioner is concerned, he is not having any previous cases.

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5. Considering the facts and circumstances of this case and also the fact that the first petitioner is having three previous cases, this Court is not inclined to grant relief to the first petitioner. Accordingly, this Criminal Original Petition is dismissed, in so far as the first petitioner is concerned.

6. Considering the facts and circumstances of this case and also the fact that the second petitioner is not having any previous cases, this Court is inclined to grant relief to the second petitioner.

7. Accordingly, this Criminal Original Petition is allowed and the second petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruchuli, and the second petitioner shall file an undertaking affidavit before the trial Court that they will not make any threat to the defacto complainant in future. If any complaint is received against the



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second petitioner, either by the respondent police or by the judicial magistrate, the bail granted to the second petitioner will stand automatically cancelled, without reference to this Court. The second petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
08/09/2023

/ TRUE COPY /

08/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN
TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUCHULI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
VEERACHOLAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, VIRUDHUNAGAR.



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

+1 CC to M/s.M.PANDIAN, Advocate (SR-13365[I] dated 08/09/2023)

ORDER
IN
CRL OP(MD) No.16015 of 2023
Date :08/09/2023

PKP/SAR- /08.09.2023/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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