



CRL OP(MD). No.18084 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/10/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

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Marimuthu

... Petitioner/Single Accused

Vs

The State represented by
The Inspector of Police,
Uthimalai Police Station,
Tenkasi District.
Crime No. 184/2023.

... Respondent/Complainant

For Petitioner : M/s.Mohamed Hashim A,
Advocate.

For Respondent : Mr.Rms.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 184 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who arrayed as accused, was arrested and remanded to



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judicial custody on 07.09.2023 for the alleged offences punishable under Sections 341, 294(b), 387 and 506(ii) IPC in Crime No.184 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 06.09.2023 the petitioner herein waylaid the defacto complainant and extorted a sum of Rs.500/- from him and also criminally intimidated him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 07.09.2023 and hence, seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner waylaid the defacto complainant and extorted a sum of Rs.500/- from him. He would further submit the defacto complainant did not sustain injury and the investigation of the case is pending.



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5. Considering the facts and circumstances of the case and also considering the fact that the defacto complainant did not sustain any injury and that petitioner is in judicial custody for more than 32 days, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the 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, Alangulam and on further conditions that:

(i) the sureties shall affix the photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall appear before the respondent police on receipt of summons;

(iii) the petitioner shall not tamper with evidence or witness;



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(iv) the petitioner shall not abscond during trial.

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v) On breach of any of the aforesaid conditions, the learned 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
10/10/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE,
ALANGULAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



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3 THE INSPECTOR OF POLICE
UTHIMALAI POLICE STATION, TENKASI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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

ORDER

IN

CRL OP(MD) No.18084 of 2023

Date :10/10/2023

SS/10/10/2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023