



CRL OP(MD). No.18111 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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Karthick Kumar

... Petitioner/ Accused No.2

Vs

The State represented by
The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.
in Crime No.50/2023..

... Respondent/Complainant

For Petitioner : M/s.Jegadeesh Pandian M,
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.50/2023 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 judicial



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custody on 18.09.2023 for the alleged offence punishable under Section 436 IPC in

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Crime No.50 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein and other accused said to have trespassed into the house of the defacto complainant and thrown away three quarter bottles filled with petrol and set fire on the Window and doors. 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 there is no specific allegation as against the petitioner and hence, seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner was arrayed as accused only based on the confession of A1 and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that there is no specific allegation as against the petitioner in the First Information Report and that the petitioner was arrayed as accused only based on the



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confession of A1, this Court is inclined to grant bail to the petitioner.

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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, Arppukkottai, Virudhunagar District 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;

(iv) the petitioner shall not abscond during trial.

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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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/-

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10/10/2023

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

TRP

TO

- 1 THE JUDICIAL MAGISTRATE
ARUPPUKKOTTAI, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
PANDALGUDI POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, ARUPPUKKOTTAI, VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-14939[I] dated 10/10/2023)

ORDER
IN
CRL OP(MD) No.18111 of 2023
Date :10/10/2023

SS/10/10/2023/5P/7C

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