



**CRL OP(MD). No.18945 of 2023**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**( Criminal Jurisdiction )**

**Date : 10/11/2023**

**PRESENT**

**The Hon`ble Mr.Justice P. VADAMALAI**

**CRL OP(MD). No.18945 of 2023**

**Alex @ Alexpandi,**

**... Petitioner/Soel Accused**

**Vs**

**State Rep.by  
The Inspector of Police,  
Tiruthangal Police Station.  
Virudhunagar Distict.  
Cr.No.236/2023**

**... Respondent/Complainant**

**For Petitioner : Mr.M.Raja Ravi Varma, Advocate.**

**For Respondent : Mr.R.M.S.Sethurman,  
Additional Public Prosecutor**

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

**PRAYER :-**

**For Bail in Crime No.236/2023 on the file of the Respondent Police.**

**ORDER : The Court made the following order :-**

**The petitioner /sole accused who was arrested and remanded to judicial custody**

**on 08.09.2023 for the offence under Section 294(b),324 and 307 IPC , in Crime No.236**

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of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that due to previous enmity on 06.05.2022 the petitioner herein abused the defacto complainant in filthy language, assaulted him and also threatened with dire consequences. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that the injured has been discharged from the hospital. He would further submit that the petitioner is in custody from 08.09.2023, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that due to previous enmity on 06.05.2022 the petitioner herein abused the defacto complainant in filthy language, assaulted him and also threatened with dire consequences, hence he objected to grant bail to the petitioner. However he fairly concedes that the injured has been discharged from the hospital.

5. Taking into consideration the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital and also taking into consideration the period of incarceration this court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to

execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with

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two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivakasi and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioner shall report before the respondent police daily at 10.30 A.M., for a period of thirty days and thereafter as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].



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

sd/-  
10/11/2023

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10/11/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

AAV

TO

- 1 THE JUDICIAL MAGISTRATE NO.II  
SIVAKASI.
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT @ SRVILLIPUTHUR.
- 3 THE OFFICER INCHARGE  
SUB JAIL, VIRUDHUNAGAR
- 4 THE INSPECTOR OF POLICE  
TIRUTHANGAL POLICE STATION.  
VIRUDHUNAGAR DISTRICT.



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

+1. CC to MR.M.RAJA RAVI VARMA, Advocate SR.No.16260(I)

ORDER  
IN  
CRL OP(MD) No.18945 of 2023  
Date :10/11/2023

PKP/10.11.2023/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified  
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