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Crl.O.P.No.7476 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.7476 of 2024

1. S. Victor Devaraj

2. K. Bharathiselvam

...Petitioners

Vs.

State rep by,
The Inspector of Police,
Thiruvarur Taluk Police Station,
Tiruvarur District.
(Crime No.32 of 2024)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in FIR in Crime No.32 of 2024 on
the file of the respondent police.

For Petitioners : Mr. R. Naresh Kumar

For Respondent : Mr.L. Baskaran
Government Advocate (Crl.Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 07.02.2024, registered for the offences under Sections 25(1A) of Arms Act in Crime No.32 of 2024 on the file of the respondent seeks bail .

2. It is stated that the defacto complainant was on the duty at Court complex the accused persons came in a car bearing Registration No.TN 21 BZ 0378 at a high speed speed and on enquiry it was found that the accused persons came to the Court complex to attack some of the accused who did not come to Court on that particular date. The accused persons were found with some deadly weapons inside the car.

3. The earlier application filed by the petitioner was dismissed by this Court vide order dated 27.02.2024 in Crl.O.P.No.4712 of 2024.

4. The learned counsel for the petitioners submitted that the petitioners are coolie workers and they were arrested by the respondent police.



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5.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6.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)** with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate, Thiruvarur** and on further conditions that:

[a] 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.

[b] the petitioners shall stay at Krishnagiri and report before the Krishnagiri Town Police Station everyday at 10:30 a.m for a period of 20 days and thereafter report before the respondent Police everyday at 10:30 a.m until further orders.

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



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

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

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

26.03.2024

smn

To

1. The **Judicial Magistrate, Thiruvarur**

2.The Inspector of Police,
Thiruvarur Taluk Police Station,
Tiruvarur District.

3.The District Prison at Nagapattinam

4.The Public Prosecutor, Madras High Court.



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C.V.KARTHIKEYAN, J.

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