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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.9889 of 2024

R.Muthupandi

... Petitioner

Vs.

State Rep by.
The Inspector of Police,
Uthiyur Police Station,
Tiruppur District.
Crime No. 35 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to order enlarge the petitioner on bail in crime No. 35 of 2023 on the
file of the respondent.

For Petitioner : Mr.K.Raguraj
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.03.2023 for the alleged offences punishable under Sections 294(b), 323, 324, 307 and 506(ii) 120(b) and Section 34 IPC in crime No. **35 of 2023** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner and others attacked, abused and also threatened the victim with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He prays to allow this petition.

4. The learned Government Advocate submitted that the petitioner and others attacked, abused and also threatened the victim with dire consequences. Further, he stated that there are 9 previous case pending against the petitioner.

5. Considering the period of incarceration undergone by the petitioner and also victim has been discharged from the hospital. Hence, this



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Court is inclined to grant bail to the petitioner.

6. . Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Kangeyam, Tiruppur District**, 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 petitioner shall report before the respondent police daily at 10.30 a.m. until further orders

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

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



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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]**;

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

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T.V.THAMILSELVI,J.

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To

1. The **Judicial Magistrate, Kangeyam, Tiruppur District**
2. The Inspector of Police,
Uthiyur Police Station,
Tiruppur District.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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