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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

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

Crl.O.P.No.11425 of 2024

Mariyappan

... Petitioner

Vs.

State Rep by.
The Inspector of Police
Poolampatti Police Station,
Salem District.
Crime No. 47 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail pertaining to crime No. 47
of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.S.Maitreya
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 22.03.2024 for the alleged offences punishable under Sections 294 (b), 324 & 307 IPC **in crime No. 47 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that due to property dispute the accused persons attempted to murder the victim by attacking him with mortar and hammer, due to which, he sustained grievous injuries. Hence, the case.

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

4. The learned Government Advocate (Crl Side) submits that the investigation is almost completed.

5. Considering the period of incarceration undergone by the petitioner and also the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner with the following conditions:

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 District Munsif Cum Judicial Magistrate, Edappadi**, 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 stay at Ramanathapuram and report before the Thangachimadam Police Station daily at 10.30 a.m., for a period of three months.

[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, 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 **District Munsif Cum Judicial Magistrate, Edappadi.**
2. The Inspector of Police
Poolampatti Police Station,
Salem District.
3. The Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

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