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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2024

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

Crl.O.P.No.15300 of 2024

Sampath

...Petitioner

Vs.

State Rep by.

The **Sub** Inspector of Police

Tirupattur Taluk Police Station,

Tirupattur. Crime No. 303 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail concerned in Crime No. 303 of 2024
on the file of the **Sub** Inspector of Police, Tirupattur Taluk Police Station,
Tirupattur.

For Petitioner : Mr.R.Parthiban

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 01.05.2024 for the alleged offences punishable under Sections 294(b), 307 IPC r/w 25(1) (a) of Arms Act, 1959, **in crime No. 303 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that due to land dispute the petitioner shoot the defacto complainant with gun and also abused him in filthy language. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is no way connected with the alleged offence. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl Side) submits that the gun has been seized from the petitioner.

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:



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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 No.II, Tirupattur**, 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., for a period of three months. Further, the petitioner is directed to deposit a sum of Rs.10,000/- to the credit of crime No. 303 of 2024 and the victim is permitted to withdraw the same.

[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 **Judicial Magistrate No.II, Tirupattur.**
2. The **Sub** Inspector of Police
Tirupattur Taluk Police Station,
Tirupattur.
3. The Sub Jail, Tirupattur.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.15300 of 2024

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