



CRL OP(MD). No.566 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.566 of 2024

Surya,

... Petitioner/ Rank Not Known

Vs

The State rep. by,
The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District,
Crime No.463/2023.

... Respondent/ Complainant

For Petitioner : Mr.T.Palanisamy,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.463/2023 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 03.09.2023 for the alleged offence punishable under Section 392 of I.P.C. in Crime No.463 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner has snatched the cell phone of the defacto complainant at knife point. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 03.09.2023 and hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner is having one previous case. He would further submit that this is the third bail application. He would further submit that the charge sheet has already been filed before the concerned Court and the same is numbered as C.C.No.798 of 2023.



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5. Considering the facts and circumstances of the case and also considering the period of incarceration, this court is inclined to grant bail to the petitioner, subject to 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, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kumbakonam, Thanjavur 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 is directed to appear before the trial Court for each and every hearing dates, failing which, the bail granted by this Court shall stand automatically cancelled;



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(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond 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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/01/2024

/ TRUE COPY /

11/01/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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TO செய்து உத்தரவு

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1. The Judicial Magistrate No.I, Kumbakonam,
Thanjavur District.
2. Do-Through The Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
3. The Officer Incharge, District Jail,
Pudukottai, Pudukottai District.
4. The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.PALANISAMY, Advocate (SR-540[I] dated 11/01/2024)

ORDER
IN
CRL OP(MD) No.566 of 2024
Date :11/01/2024

SSA/11.01.2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023