



CRL OP(MD). No.57 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.57 of 2024

Sanjay Kumar Panja,

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Patteeswaram Police Station,
Thanjavur District.
(Crime No.313 of 2023).

... Respondent/Complainant

For Petitioner : Mr.B.JAMEELARASU,
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.313 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 12.12.2023, for the offences punishable under Sections 147, 294(b) and 506(i) of IPC and Section 3(1) of TNPPDL Act in Crime No.313 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 03.10.2023 at about 10.30 a.m., the

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petitioner and other accused opposed the construction of a ration shop in the particular place. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent opposed to grant bail to the petitioner stating that the petitioner and other accused persons damaged the ration shop and the investigation is pending.

5.Heard the learned counsel on either side.

6.Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, this Criminal Original Petition is ordered and 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.II, 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



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their Aadhar card or Bank pass Book to ensure their identity;

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(b) the petitioner is directed to appear before the respondent police as and when required for interrogation;

(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/-
04/01/2024

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04/01/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE NO.II,
KUMBAKONAM, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM, THANJAVUR DISTRICT.

4 THE INSPECTOR OF POLICE,
PATTEESWARAM POLICE STATION, THANJAVUR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.57 of 2024
Date :04/01/2024

SA/SAR. /04.01.2024/4P/6C

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