



CRL OP(MD). No.512 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.512 of 2024

1. Sesu Arunraj,

2. Yesudhasan,

... Petitioners/ Accused Nos.1 & 2

Vs

The State rep. by,
The Inspector of Police,
Pavoorchatram Police Station,
Crime No.438/2023.

... Respondent/ Complainant

For Petitioners : Mr.D.Venkatachalam,
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.438/2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2, who were arrested and remanded to judicial custody on 30.12.2023 for the alleged offence punishable under Sections 465, 467, 468, 420, 379 and 511 of I.P.C. in Crime No.438 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners prepared a forged trip sheet and illegally transported the sand. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 30.12.2023. He would further submit that the petitioners, without prejudice to their rights, are ready to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the District Siddha Medical Office and hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent



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Police would submit that the first petitioner is having one previous case and there is no previous case pending against the second petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are ready to deposit some amount to the District Siddha Medical Office, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi 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 petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of the District Siddha



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Medical Officer CCRI PKM, Account No.10767823177, IFSC Code :
SBIN0000898, MICR CODE : 625002601, Branch: SBI Periyakulam,
without prejudice to their rights and contentions before the trial
Court and produce the receipt/acknowledgment before the trial
Court while executing the sureties;

(c) the petitioners are directed to appear before the
respondent Police as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness
either during investigation or trial;

(e) the petitioners shall not abscond either during investigation
or trial;

(f) 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



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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;

(g) 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

TO

1. The Judicial Magistrate, Tenkasi
2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.
3. The Superintendent, Central Jail, Palayamkottai.
4. The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Copy To

The District Siddha Medical Officer CCRI PKM,
Periyakulam.

+1 CC to M/s.D.VENKATACHALAM, Advocate (SR-562[I] dated 11/01/2024)

ORDER
IN
CRL OP(MD) No.512 of 2024
Date :11/01/2024

SSA/11.01.2024/6P/8C

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