



CRL OP(MD). No.1097 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 24/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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Sudalai Muthu

... Petitioner/ Accused

Vs

The Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli District.
(Crime No.17/2024).

... Respondent/Complainant

For Petitioner : M/s. Venkatesh.C, Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.17 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 09.01.2024 for the offences punishable under Sections 341, 294(b), 307, 342, 323



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and 506(i) of IPC and Section 4 of TNPWH Act, in Crime No.17 of 2024, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that due to land dispute between the parties, on 09.01.2024, the accused persons waylaid the defacto complainant and his family members, attacked them with weapon and caused injuries to them and they have also criminally intimidated to them. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he is in judicial custody since 09.01.2024. Hence, he prays for bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police strongly opposed to grant bail stating that due to land dispute between the parties, the petitioner attacked the defacto complainant and his family members and the petitioner has two previous cases. However, he fairly conceded that the injured was already discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the facts that the injured was already discharged from the hospital and the petitioner is in judicial custody from 09.01.2024 onwards, 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



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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, Ambasamudram, 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 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;



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

sd/-
24/01/2024

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24/01/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

- 1.The Judicial Magistrate,
Ambasamudram.
- 2.Do through the Chief Judicial Magistrate,
Tirunelveli District.
- 3.The Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli District.
- 4.The Superintendent,
Central Jail,
Palayamkottai,
Tirunelveli.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER

IN

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Date :24/01/2024

ED/ /SAR- (24/01/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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