



Crl.O.P.(MD) No.1492 of 2023

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

Date : 01/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

Crl.O.P.(MD) No.1492 of 2024

Murugesan

... Petitioner/ A1

Vs

The State rep. by  
The Inspector of Police,  
Saptur Police Station,  
Madurai District.  
(Crime No.187 of 2003)

... Respondent/Complainant

For Petitioners : Mr.P.T.Ramesh Raja, Advocate  
for Mr.M.Maharaja, 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.187 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



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03.12.2023 for the offences punishable under Sections 294(b), 353, 307 of IPC r/w Section 3(1) of TNPPDL Act, 1992, in Crime No.187 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the Grade-I Police Constable of Peraiyur All Women Police Station. On 02.12.2023 at about 08.40 p.m., the cultural program was going on at Kethuvarpatti Village, Peraiyur Taluk and the police peoples were on duty. At that time, the petitioner along with other accused persons disturbed the said program and caused nuisance to the public. When the same was questioned by the defacto complainant, the petitioner along with other accused said to have abused the defacto complainant in filthy language. All of sudden, the petitioner tried to assault the defacto complainant with iron rod and the same was prevented and along with other accused damaged the Police Jeep with Iron Rod and Stones. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that this is the third bail petition. Earlier bail petition filed by the petitioner in Crl.OP(MD)No.179 of 2024 was withdrawn by the petitioner on 08.01.2024. In this case, no one has sustained injury and the co-accused was already released on bail by this Court. Hence, he prays for grant of bail to the petitioner.



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4. Heard the learned Additional Public Prosecutor appearing for the State would submit that apart from this case, 6 previous cases are pending against the petitioner. Hence, he vehemently, opposed to grant bail to the petitioner.

5. Considering the period of incarceration and also considering the facts that no one has sustained injury in this case and the co-accused was already released on bail by this Court, this Court is inclined to grant bail to the petitioner.

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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned **District Munsif cum Judicial Magistrate, Peraiyur, Madurai District**, and on further condition 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 until further orders;**

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

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



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(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 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/-  
01/02/2024

/ TRUE COPY /

01/02/2024  
Sub-Assistant Registrar ( )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

DSS

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
PERAIYUR, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE  
SAPTUR POLICE STATION,  
MADURAI DISTRICT,



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4 THE OFFICER INCHARGE,  
SUB JAIL, USILAMPATTI, MADURAI DISTRICT.

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

+1 CC to M/s.M.MAHARAJA, Advocate ( SR-1311[I] dated 01/02/2024 )

ORDER  
IN

CRL OP(MD) No.1492 of 2024  
Date :01/02/2024

SS/SAR- /01/02/2024/5P/7C

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