



CRL OP(MD). No.1632 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 28/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.1632 of 2024

Chinnathambi

... Petitioner/Sole Accused

Vs

The Inspector of Police,  
Kallakudi Police Station,  
Trichy District.

Crime No.263 of 2023.

... Respondent/Complainant

For Petitioner : Mr.T.Leninkumar, 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.263 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 29.12.2023 for the alleged offence punishable under Section 392 r/w 397 IPC in Crime No.263 of 2023 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 29.12.2023, one Elayaraja, lodged a complaint before the respondent Police stating that on 29.12.2023 at about 08.00 A.M., he along with his co-employee, viz., Muthu was sleeping in the wine shop, a person, who was standing outside the wine shop asked the defacto complainant as to whether the liquor is available or not. When the defacto complainant asked the



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person to come after 12.00 P.M., he indulged in quarrel with the complainant. During the quarrel, the petitioner snatched Rs.1,500/- from the defacto complainant's pocket at knife point.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 29.12.2023 and hence, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the District Administration decided to impose Act 14 against the petitioner and the file is now pending before the concerned Office and till now, the petitioner has not taken any action. Hence, he vehemently opposed for grant of bail.

5. Considering the facts and circumstances of the case and considering the period of incarceration suffered by the petitioner, 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, Lalgudi and on further conditions that:



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(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 for a period of two weeks at 10.30 A.M. and thereafter 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/-  
28/02/2024

/ TRUE COPY /

28/02/2024

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, LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE, KALLAKUDI POLICE STATION,  
TRICHY DISTRICT.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate ( SR-2445[I] dated 28/02/2024 )

ORDER

IN

CRL OP(MD) No.1632 of 2024

Date :28/02/2024

RS//SAR-(28.02.2024) 4P 7C

Madurai Bench of Madras High Court is issuing  
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