



CRL OP(MD). No.1812 of 2024

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

Date : 06/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1. Muthupandi

2. Suresh

... Petitioners / Accused Nos.2 & 4

Vs

The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District,
(Crime No.11/2024.)

... Respondent/Complainant

For Petitioners : Mr.Alwin Balan.P.P, 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.11/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on
19.01.2024 for the offence punishable under Sections 294(b), 353 and 506(ii) IPC and



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Section 3 of TNPPDL Act in Crime No.11 of 2024, on the file of the respondent

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Police, seek bail.

2. The case of the prosecution is that the defacto complainant is the Police Official. It is alleged that on 18.01.2024, at about 11.00 Hrs, the petitioner along with two other persons abused the defacto complainant in filthy language and damaged the barricade. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners did not commit any allegations as alleged by the prosecution. He would further submit that the petitioners are in judicial custody for more than 17 days and hence, he prays for granting bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the first petitioner is having one previous case and there is no previous cases pending against the second petitioner.

5. Heard the learned counsels on either side.

6. Considering the facts and circumstances of the case and also considering the fact that the first petitioner is having one previous case and the offence committed in the said case is not serious in nature and also considering the



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fact that there is no previous case pending against the second petitioner, this Court is inclined to grant bail to the petitioners with certain conditions.

7. 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, 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 petitioners are directed to appear before the respondent Police daily at 10.30 A.M. until further orders;

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

(d) the petitioners 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



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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;

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

sd/-
06/02/2024

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06/02/2024
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

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



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+2 CC to M/s.P.P.ALWIN BALAN, Advocate (SR-1446[I] dated 06/02/2024)

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ORDER

IN

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Date :06/02/2024

ED/ /SAR- (06/02/2024) 5P / 8C

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