



CRL OP(MD). No.2400 of 2024

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

Date : 15/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.2400 of 2024

1. Gunaseelan

2. Sarathi

3. Jayaselan

4. Mahendran

5. Keerthivasan

... Petitioners/ Accused No.1 to 5

Vs

The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.
(Crime No.37 of 2024.)

... Respondent/ Complainant

For Petitioners : Mr.D.Rameshkumar, 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.37 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.2400 of 2024

ORDER: The Court made the following order :-

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The petitioners/A1 to A5, who were arrested and remanded to judicial custody on 18.01.2024 for the offences punishable under Sections 147, 148, 294(b), 307, 324 and 506(ii) of IPC, in Crime No.37 of 2024, on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity between the parties, the petitioners trespassed into the defacto complainant's house with deadly weapons and attacked the defacto complainant and his family members. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they are in judicial custody since 18.01.2024. Hence, he prays for grant bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the State strongly opposed to grant bail stating that the petitioners are having one previous case. However, he fairly conceded that the injured was already discharged from the hospital.

5.Heard. Perused the materials available on record including the First Information Report.

6.Considering the fact that the injured was already discharged from the



CRL OP(MD). No.2400 of 2024

hospital and also considering the period of incarceration suffered by the petitioners, 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, Thiruvidadaimaruthur, Thanjavur, District, 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned



CRL OP(MD). No.2400 of 2024

WEB COPY

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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
15/02/2024

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15/02/2024
Sub-Assistant Registrar (Writ)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

- 1.The Judicial Magistrate,
Thiruvidadaimaruthur, Thanjavur District.
- 2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.
- 4.The Officer Incharge,
District Prison, Thanjavur.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.2400 of 2024

ORDER

IN

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Date :15/02/2024

ED/ /SAR- (15/02/2024) 5P / 6C

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