



CRL OP(MD). No.2399 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.2399 of 2024

Tamilvanan

... Petitioner / Accused No.4

Vs

The Sub Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
(Crime No. 31/2024.)

... Respondent/Complainant

For Petitioner : M/s.Santhanam Rajeshkumar B, 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. 31 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/A4, who was arrested and remanded to judicial custody on 25.01.2024 for the offences punishable under Sections 392 and 397 of IPC, in Crime No.31 of 2024, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 24.01.2024 at about 01.00 p.m., the petitioner and other accused persons came to the defacto complainant agricultural farm and attacked the defacto complainant and also forcibly taken 7 cock and 6 hen through sack bag. 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 25.01.2024. Hence, she prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the State strongly opposed to grant of bail stating that the petitioner is having two previous cases. However, he fairly conceded that the stolen cocks and hens were recovered.

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

6.Considering the fact that the stolen cocks and hens were recovered and also considering the period of incarceration suffered by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions.



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7. 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 Court No.2, Karur, Karur 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 petitioner is directed to appear 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;

(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

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under Section 229-A IPC.

sd/-

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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 No.II,
Karur, Karur District.

2.Do through the Chief Judicial Magistrate,
Karur District.

3.The Sub Inspector of Police,
Velayuthampalayam Police Station,
Karur District.

4.The Officer Incharge,
Sub Jail,
Karur, Karur District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.2399 of 2024

Date :15/02/2024



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

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