



CRL OP(MD). No.2414 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.2414 of 2024

Petchimuthu @ Ajith Kumar

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
Crime No. 292 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.P.Amulraj
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. 292 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / A5, who was arrested and remanded to judicial custody on 09.01.2024 for the alleged offence punishable under Sections 379 @ 397 of I.P.C. in Crime No.292 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the defacto complainant went to the wine shop and he kept the cash and his jewels in his motor bike. When he returned back, his bike was broken by the unknown persons and they stolen the said cash and jewels. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that Accused Nos.1, 2 and 4 has been granted bail by the lower Court. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that investigation is going on.

5. Considering the facts and circumstances of the case and also considering



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the fact that the co-accused has been granted bail by the lower Court and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain 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, Alangulam 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;



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(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/-
19/02/2024

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19/02/2024
Sub-Assistant Registrar (CO)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1. The Judicial Magistrate, Alangulam
2. Do-Through The Chief Judicial Magistrate,
Tirunelveli District.



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3. The Superintendent, Central Prison,
Palayamkottai.

4. The Inspector of Police,
Alangulam Police Station,
Tenkasi District.

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

+1 CC to M/s.P.AMUL RAJ, Advocate (SR-2032[I] dated 19/02/2024)

ORDER
IN
CRL OP(MD) No.2414 of 2024
Date :19/02/2024

RK/ (19/02/2024) 5P / 7C

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