



CRL OP(MD). No.2650 of 2024

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

Date : 20/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1. Mangandidurai @ Mangandi,

2. Avudan @ Mariyappan

... Petitioners/ Accused Nos.4 & 7

Vs

The Inspector of Police,
Allinagaram Police Station,
Theni District.
Crime No.18 of 2024..

... Respondent/Complainant

For Petitioners : Mr.K.Appadurai,
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.18 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.4 and 7, who were arrested and remanded to judicial



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custody from 19.01.2024 for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 307 and 427 of I.P.C. in Crime No.18 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 petitioners and the *defacto* complainant, the petitioners along with other accused persons attacked the *defacto* complainant with iron rod and abused him in filthy language and threatened him with dire consequences. Due to which, the *defacto* complainant sustained injuries and admitted in the Hospital. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 19.01.2024 and hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the injured has been discharged from the Hospital.

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



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the fact that the injured has been discharged from the Hospital, this court is inclined to grant bail to the petitioners, subject to the following conditions:

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6. 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, Theni** 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;



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(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/-
20/02/2024

/ TRUE COPY /

20/02/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1 THE JUDICIAL MAGISTRATE,
THENI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, K.VILAKKU, THEKKAMPATTI,
ANDIPATTI, THENI.



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4 THE INSPECTOR OF POLICE
ALLINAGARAM POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.K.APPADURAI, Advocate (SR-2109[I] dated 20/02/2024)

ORDER
IN
CRL OP(MD) No.2650 of 2024
Date :20/02/2024

SS/SAR- /20/02/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023