



CRL OP(MD). No.2474 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.2474 of 2024

Maharajan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Adirampattinam Police Station,
Thanjavur District.
(Crime No.16 of 2024).

... Respondent/Complainant

For Petitioner : Mr.D.R.Murugesan,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

To enlarge the petitioner on bail in connection with Cr.No.16 of 2024 on the file of the respondent herein.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody

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on 16.01.2024 for the alleged offence punishable under Sections 294(b), 324, 506(ii) and 307 IPC @ 294(b) and 302 IPC in Crime No.16 of 2024 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner is working as a Watchman in the Prawn Farm. On the alleged day, the deceased person entered into the farm and caught the fish and the same was objected by the petitioner. Due to which, the petitioner brutally attacked the deceased with iron rod and he sustained severe injuries and thereafter, the deceased died in the Hospital. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 16.01.2024 and hence, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that there was an altercation arose between the petitioner and the deceased and due to which, the petitioner attacked the deceased with iron rod and he died in the Hospital. He would further submit that no previous case is pending



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against the petitioner.

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5. Considering the facts and circumstances of the case and considering the period of incarceration suffered by the petitioner and also considering the fact that there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following 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, Pattukottai 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;



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(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;

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

sd/-
28/02/2024

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28 /02/2024
Sub-Assistant Registrar (PA-I / AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

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1. The Judicial Magistrate, Pattukottai
2. Do-Through The Chief Judicial Magistrate,
Thanjore District @ Kumbakonam.
3. The Officer in charge, Sub Jail, Pudukottai.
4. The Inspector of Police,
Adirampattinam Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.2474 of 2024
Date :28/02/2024

RK/SKN(28/02/2024) 5P / 6C

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