



CRL OP(MD). No.2531 of 2024

WEB COPY 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.2531 of 2024

Vembusudalai

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.
Crime No.397 of 2023..

... Respondent/Complainant

For Petitioner : Mr.R.Srinivasan,
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.397 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 / sole accused, who was arrested and remanded to judicial custody for the alleged offence punishable under Sections 294(b), 307, 387 and 506(ii) of I.P.C. in Crime No.397 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 22.12.2023, when the defacto complainant and his friends were standing near by the TASMACH Shop, at that time, the accused tried to take money from the defacto complainant's shirt pocket and the same was resisted by the defacto complainant. Thereby, the accused tried to stab him by using knife and the defacto complainant escaped from that attempt. After that, the accused robbed Rs.500/- from the defacto complainant. 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. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that four previous cases are pending against the petitioner, out



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of which, three cases are ended in acquittal.

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5. Considering the facts and circumstances of the case 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, Ambasamudram, Tirunelveli 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 for a period of two weeks at 10.30 A.M., and thereafter, as and when required for interrogation;



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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/-
19/02/2024

/ TRUE COPY /

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

TSG



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TO
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1. The Judicial Magistrate, Ambasamudram,
Tirunelveli District.
2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.
3. The Superintendent, Palayankottai Jail,
Tirunelveli District.
4. The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.SRINIVASAN, Advocate (SR-2038[I] dated 19/02/2024)

ORDER
IN

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Date :19/02/2024

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

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