



CRL OP(MD). No.3090 of 2024

WEB COPY 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.3090 of 2024

Murugesan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Natchiyarkoil Police Station,
Thanjavur District.
Crime No.94 of 2024..

... Respondent/Complainant

For Petitioner : Mr.U.Antony Santhosh,
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.94 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.3090 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 31.01.2024 for the offence punishable under Sections 341, 294(b), 324 and 506(ii) of I.P.C., r/w 25(1-A) of the Arms Act in Crime No.94 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that due to previous enmity between the petitioner and the defacto complainant, the petitioner attacked the defacto complainant by using sword and also threatened 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 been falsely implicated in this case 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. He would further submit that three previous cases are pending against the petitioner, out of which, one case is a murder case.



CRL OP(MD). No.3090 of 2024

WEB COPY

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the Hospital, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

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 No.II, Kumbakonam 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 as and when required for interrogation;



CRL OP(MD). No.3090 of 2024

WEB COPY

(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

/ TRUE COPY /

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

TSG



CRL OP(MD). No.3090 of 2024

TO
WEB COPY

1. The Judicial Magistrate No.II, Kumbakonam
2. Do-Through The Chief Judicial Magistrate,
Thanjore District @ Kumbakonam.
3. The Officer in charge, Sub Jail, Kumbakonam.
- 4.The Inspector of Police,
Natchiyarkoil Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.3090 of 2024
Date :28/02/2024

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

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