



CRL OP(MD). No.3487 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.3487 of 2024

Praveen

... Petitioner/ Accused No.6

Vs

The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
In Crime No.56 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.M.Pitchai Muthu,
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.56 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/Accused No.6, who was arrested and remanded to judicial custody on 22.02.2024 for the offences punishable under Sections 147 and 148 of IPC r/w. Section 25(1A) of Arms Act, 1959, in Crime No.56 of 2024, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that on 20.02.2024, when the defacto complainant went to pacify the quarrel between the accused persons regarding sharing of money derived from selling Ganja, the accused persons threatened him with deadly weapons. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he did not commit any allegations as alleged by the prosecution. Already the bail application filed by the petitioner before the concerned Court was dismissed on 28.02.2024. He would further submit that the petitioner is in judicial custody for more than 12 days. Hence, he prays for grant bail to the petitioner.



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4.The learned Additional Public Prosecutor appearing for the respondent would submit that one previous case is pending against the petitioner, which is registered under NDPS Act. Hence, he vehemently opposed to grant bail to the petitioner.

5.Heard. Perused the materials available on record including the First Information Report.

6.Considering the facts and circumstances of the case and also considering the allegations levelled against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, this Criminal Original Petition is ordered and 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, Orathanadu, Thanjavur 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

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Book to ensure their identity;

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(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;

(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/-
05/03/2024

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05/03/2024
Sub-Assistant Registrar (PA-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Indu



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

ORDER
IN
CRL OP(MD) No.3487 of 2024
Date :05/03/2024

RK (05/03/2024) 5P / 6C

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