



CRL OP(MD). No.3521 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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Kalidoss

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
Crime No.47/2024.

... Respondent/Complainant

For Petitioner : Mr.M.Suresh,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.47/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 02.02.2024 for the offences punishable under Sections Accidental Fire @

<https://www.mhc.tn.gov.in/judis>



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436 of IPC, in Crime No.47 of 2024, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that some unknown person set fire to the defacto complainant's house and his two wheeler. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case and he is in judicial custody since 02.02.2024. However, on instructions, he would further submit that the petitioner, without prejudice to his rights and contention, is ready to deposit a sum of Rs.50,000/- to the credit of Crime No.47 of 024 before the trial Court and hence, he prays for bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner was set fire to the defacto complainant house and his vehicle. Hence, he strongly opposed to grant bail to the petitioner.

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



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6. 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, subject to the following 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, Aranthangi, Pudukkottai 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) as per the undertaking given by the petitioner, the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit crime No.47 of 2024", without prejudice to his rights and contentions before the trial Court, within a period of fifteen days from the date of receipt of a copy of this order and produce the receipt/acknowledgment before the trial Court while executing the sureties;

(c) the petitioner is directed to appear before the respondent police daily at 10.30 a.m., until further orders;



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(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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;

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

sd/-
08/03/2024

/ TRUE COPY /

08/03/2024
Sub-Assistant Registrar (CO)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. The Judicial Magistrate, Aranthangi, Pudukkottai District.
2. Do-Through The Chief Judicial Magistrate, Pudukkottai District.



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3. The Officer in charge, Sub Jail, Aranthangi.

4. The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.3521 of 2024
Date :08/03/2024

RK (08/03/2024) 5P / 6C

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