



CRL OP(MD). No.3495 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

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1.P.Pavithran

2.M.P.Kabilan

... Petitioners/ Accused Nos.1 and 2

Vs

The Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
In Crime No.31 of 2024.

... Respondent/Complainant

For Petitioners : Mr.P.Ganapathi Subramanian,
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.31 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 petitioners/ Accused, who were arrested and remanded to judicial custody on 15.02.2024 for the offences punishable under Sections 294(b), 506(ii) of IPC and Section 3(a) of Explosive Substance Act, in Crime No.31 of 2024, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the accused persons are the college students. On 14.02.2024, a special camp was conducted in their college, at that time, the accused did not concentrate on the camp and caused disturbance to the other students, so the complainant asked them to meet the Head of the Department. On the same day at about 4.00 p.m., the accused persons shouted solgan against the complainant by standing in front of the college gate and pelted stones against the college gate and they threatened the defacto complainant with dire consequences and at about 7.15 p.m., they have thrown patrol bombs in the college. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any allegations as alleged by the prosecution. Actually, there was previous enmity between the first petitioner and one Mugilan, who is



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working as Professor in the said college, hence, the false case has been foisted against the petitioners. He would further submit that the petitioner is in judicial custody for the past 18 days. Hence, he prays for grant bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners are the college students and they indulged in quarrel with the complainant and threatened him. Further, no previous case is pending against the petitioners.

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 period of incarceration suffered by the petitioners, there is no previous case pending against the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/-



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(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Musiri, 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 petitioners are directed to appear before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;



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(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

TO

- 1.The Judicial Magistrate,
Musiri.
2. Do-Through The Chief Judicial Magistrate,
Trichy District.
- 3.The Superintendent,
Central Prison, Trichy.
- 4.The Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-2720[I] dated 05/03/2024)

ORDER
IN
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Date :05/03/2024

RK (05/03/2024) 6P / 7C

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