



CRL OP(MD).No.3552 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD).No.3552 of 2024

Vijay

... Petitioner / Sole Accused

Vs

State rep. by,
The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
(In Crime No.135/2024.)

... Respondent/Complainant

For Petitioner : Mr.S.Sekar, 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.135/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 25.02.2024 for the offence punishable under Sections 341, 294(b), 307 and 506(ii) of



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IPC and section 25(1A) of Arms Act 1959, in Crime No.135 of 2024 on the file of the respondent Police, seeks bail.

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2.The case of the prosecution is that the defacto complainant was awarded contract for collecting hundial offerings/donations to Arulmigu Esakkiamman Temple and therefore, there was a dispute between the petitioner and the defacto complainant. On 25.02.2024, at about 06.30 p.m., the petitioner restrained the defacto complainant and tried to stab him and also abused him in filthy language and threatened him. 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. He would further submit that it is a case in counter case and the petitioner is in judicial custody from 25.02.2024. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that no one is injured in this case.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case, the period of incarceration suffered by the petitioner and the fact that no one is injured in this case, this court is inclined to grant bail to the petitioner, subject to the following conditions:



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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, Valliyur, 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 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;



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

sd/-
06/03/2024

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06/03/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

To

1.The Judicial Magistrate,
Valliyur, Tirunelveli District.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

4.The Superintendent,
Central Prison,
Palayamkottai.

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

+1 CC to M/s.S.SEKAR, Advocate (SR-2777[I] dated 06/03/2024)



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ORDER

IN

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Date :06/03/2024

ED/ /SAR- (06/03/2024) 5P / 7C

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