



CRL OP(MD). No.4309 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.4309 of 2024

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... Petitioner/ Accused Rank not known

Versus

The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
(Crime No.82/2024)

...Respondent / Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.82 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested on 04.02.2024 for the offence punishable under Sections 147, 148, 294(b), 307, 506(ii) IPC altered into Section 109, 120(B), 147, 148, 294(b), 307, 506(ii) IPC, in Crime No.82 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 04.02.2024, at about 14.20 hours, due to previous enmity, the petitioner along with other accused has abused the defacto complainant in filthy language, attacked her with aruval and knife and threatened her with dire consequences. Hence, the case has been registered.

3. The learned counsel for the petitioner submits that the petitioner is aged about 60 years and he was not present in the scene of occurrence, however, he was arrested by the respondent Police on 04.02.2024 and he is languishing in Jail for the past 58 days. He further submits that there is no specific overt act attributed against the petitioner. He further submits that the main accused, namely, A1 to A5 have already been detained under Act 14/1982. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the injured is still in hospital.



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5. Considering the fact that the main accused, namely, A1 to A5, have already been detained under Act 14/1982 and also considering the age of the petitioner and the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Tirunelveli, Tirunelveli District.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

iii) The petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of one month and thereafter shall appear as and when required by the respondent police. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.



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v. On violation of any of the above conditions by the petitioner,
the respondent police shall move an application for cancellation of the
bail.

sd/-
02/04/2024

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02/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

To

- 1.The Judicial Magistrate No.I,
Tirunelveli, Tirunelveli District.
- 2.Do through the Chief Judicial Magistrate,
Tirunelveli District.
- 3.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
- 4.The Superintendent,
Central Prison,
Palayamkottai,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-4077[I] dated 02/04/2024)

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ORDER

IN

CRL OP(MD) No.4309 of 2024

Date :02/04/2024

ED/ /SAR- (02/04/2024) 5P / 7C

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