



CRL OP(MD). No.4262 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.4262 of 2024

Terence @ Derens,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
Crime No.119/2024.

... Respondent/Complainant

For Petitioner : Mr.A.ARUN RAMNATH,
Advocate.

For Respondent : Mr.S.MANIKANDAN,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.119/2024 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 26.02.2024 for the offence punishable under Sections 294(b), 353, 307 and 506(2)

IPC in Crime No.119 of 2024, on the file of the respondent Police, seeks bail.

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



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2. The case of the prosecution is that on 26.02.2024, the petitioner is said to have tried to assault the defacto complainant, who is the Special Sub Inspector of Police, by using deadly weapons and abused him by using filthy language. Thereafter, the defacto complainant escaped from the spot and it is alleged that the petitioner prevented the defacto complainant from discharging his official duty. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in the case. He would further submit that the petitioner was arrested and remanded to judicial custody on 26.02.2024. He would further submit that the petitioner is in judicial custody for more than twenty days and hence, he prays for bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioner is a history sheeter and apart from this case, four previous cases are pending against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and considering the period of incarceration suffered by the petitioner and also considering the fact that there is no specific overtact against the petitioner, this Court is inclined to grant bail to the



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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 No.III, Tirunelveli 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 05.00 P.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.



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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/-
18/03/2024

/ TRUE COPY /

18/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.III
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.

4 THE INSPECTOR OF POLICE,
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.



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5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.4262 of 2024
Date :18/03/2024

SA/SAR. /18.03.2024/5P/6C

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