



CRL OP(MD). No.4269 of 2024

WEB COPY

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.4269 of 2024

Rajesh,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
Cr.No.56/2024.

... Respondent/ Complainant

For Petitioner : Mr.S.VEERAPANDI SELVARAJ
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.56/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / A1, who was arrested and remanded to judicial custody on
21.02.2024 for the offence punishable under Sections 147, 148 IPC and 25(1A) Arms

<https://www.mhc.tn.gov.in/judis> Act, 1959 in Crime No.56 of 2024, on the file of the respondent Police, seeks bail.



CRL OP(MD). No.4269 of 2024

WEB COPY

2. The case of the prosecution is that the petitioner along with five accused persons were having a sword and made life threat to the defacto complainant. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody for more than twenty five days and hence, he prays for bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that four previous cases are pending against the petitioner, which are similar in nature. 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, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

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 District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District and on further conditions that:



CRL OP(MD). No.4269 of 2024

WEB COPY

(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 for a period of two weeks at 10.30 A.M. and thereafter, as and when required for interrogation;

(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;



CRL OP(MD). No.4269 of 2024

(f)if the accused thereafter absconds, a fresh FIR can be registered

WEB COPY

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
PAPPANADU POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.S.RAMESHKUMAR, Advocate (SR-3307[I] dated 18/03/2024)



WEB COPY



CRL OP(MD). No.4269 of 2024

ORDER
IN
CRL OP(MD) No.4269 of 2024
Date :18/03/2024

SA/SAR. /18.03.2024/5P/7C

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