



CRL OP(MD). No.4263 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.4263 of 2024

Ramprasath

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.
Crime No. 45/2024.

... Respondent/ Complainant

For Petitioner : Mr.A.Uthayakumar,
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. 45 of 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 08.03.2024 for the offence punishable under Sections 341, 294(b), 323, 506 (ii) IPC and Section 3(1) of TNPPDL Act in Crime No.45 of 2024, on the file of the respondent Police, seeks bail.



CRL OP(MD). No.4263 of 2024

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2. The case of the prosecution is that the defacto complainant has frequently parked the vehicle in front of the HDFC Bank and the petitioner and his mother asked him to move the said vehicle from that place and the defacto complainant refused to move the vehicle. Due to which, wordy quarrel arose between the petitioner and the defacto complainant, resulting which, the petitioner damaged the vehicle by using stones and tried to set fire the vehicle. 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 nine days and hence, he prays for bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioner has damaged the two-wheeler owned by the defacto complainant and tried to set fire the same. Hence, he opposed for grant of bail.

5. Heard the learned counsel on either side.



CRL OP(MD). No.4263 of 2024

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6. Considering the facts and circumstances of the case and also 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 Judicial Magistrate, Muthukulathur, Ramanathapuram 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 as and when required for interrogation;

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



CRL OP(MD). No.4263 of 2024

WEB COPY

(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;

(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 (CS -II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1. The Judicial Magistrate, Muthukulathur,
Ramanathapuram District.



CRL OP(MD). No.4263 of 2024

2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.

3. The Officer in charge,
District Prison,
Ramanathapuram District.

4. The Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.

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

ORDER
IN
CRL OP(MD) No.4263 of 2024
Date :18/03/2024

RK/ (18/03/2024) 5P / 6C

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