



CRL OP(MD). No.4488 of 2024

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

Date : 21/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD). No.4488 of 2024

Gurusamy

... Petitioner/ Accused No.8

Vs

The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.
(Crime No. 116/2024.)

... Respondent/Complainant

For Petitioner : Mr.G.Thiruvavutselvan, Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Government Pleader

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

PRAYER :-

For Bail in Crime No. 116 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / A8, who was arrested and remanded to judicial custody from 25.02.2024 for the alleged offence punishable under Sections 294(b), 341 and 506(ii) IPC and subsequently it was altered into Sections 147, 148, 120(b), 341, 294(b), 307 and 506(ii)IPC in Crime No.116 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused persons abused the defacto complainant in filthy language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that no one sustained injuries.

5. Considering the facts and circumstances of the case and also considering the fact that no one sustained injuries, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. 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, Tenkasi 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



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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;

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

sd/-
21/03/2024

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21/03/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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To

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1.The Judicial Magistrate,
Tenkasi.

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

3.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.

4.The Superintendent,
Central Prison, Palayamkottai.

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

+1 CC to M/s.G.THIRUVARUTSELVAN, Advocate (SR-3532[I] dated 21/03/2024)

ORDER

IN

CRL OP(MD) No.4488 of 2024

Date :21/03/2024

ED/ /SAR- (21/03/2024) 4P / 7C

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