



CRL OP(MD). No.4531 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.4531 of 2024

Ramesh,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Pattukottai Police Station,
Thanjavur District.
Crime No.47/2024..

... Respondent/Complainant

For Petitioner : Mr.Dhilipanpandian.R.L,Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.47/2024 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 from 21.01.2024 for the alleged offence punishable under Sections 294(b), 323 and 506(i) IPC and subsequently it was altered into Sections 294(b), 302, 307, 323 and

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506(i)IPC in Crime No.47 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to wordy quarrel arose between the petitioner and the deceased, the petitioner assaulted the deceased indiscriminately and pushed him down and thereby, he lost his life. 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 previous cases are pending against the petitioner. He would further submit that the deceased is aged about 75 years and the petitioner herein attacked him indiscriminately, due to which, he lost his life. Hence, he vehemently opposed for grant of bail.

5. 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



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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, Pattukottai, Thanjavur 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 daily at 10.30 A.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. State of Kerala [(2005) AIR SCW 5560]; and;

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(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 (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE OFFICER INCHARGE
DISTRICT JAIL, THANJAVUR, THANJAVUR DISTRICT.
- 4 THE INSPECTOR OF POLICE
PATTUKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.4531 of 2024
Date :21/03/2024

PKP/21.03.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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