



CRL OP(MD). No.4539 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.4539 of 2024

Kochadai @ Gurusamy

... Petitioner / Accused

Vs

The Inspector of Police,
Chinnamanur Police Station,
Theni District.
(Crime No. 105/2024.)

... Respondent/Complainant

For Petitioner : Mr.H.Velavadhas, 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.105 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner / Sole Accused, who was arrested and remanded to judicial custody from 24.02.2024 for the alleged offence punishable under Sections 294(b), 506(i) and 195(A) IPC in Crime No.105 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that one G.Paraman, son of Gurusamy, who has given a complaint to the respondent Police on 23.02.2024 stating that the petitioner herein tampered the witness in Crime No.289 of 2019. According to the above said reason, this case was registered against the petitioner.

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 the petitioner herein threatened the witness to withdraw the case in S.C.No.29 of 2020 before the concerned Court. 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 to the petitioner, subject to the following conditions:



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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, Uthamapalayam 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

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under Section 229-A IPC.

sd/-
21/03/2024

/ TRUE COPY /

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

TSG

To

1.The Judicial Magistrate,
Uthamapalayam.

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

3.The Inspector of Police,
Chinnamanur Police Station,
Theni District.

4.The Officer Incharge,
District Jail,
Theni.

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

+1 CC to M/s.H.VELAVADHAS, Advocate (SR-3483[I] dated 21/03/2024)



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ORDER

IN

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Date :21/03/2024

ED/ /SAR- (21/03/2024) 5P / 7C

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