



CRL OP(MD). No.4508 of 2024

WEB COPY 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.4508 of 2024

1. S.Mariappan

2. R.Esaraja @ Vasanth

3. P.Mathan

... Petitioners / Accused No.3, 6 & 7

Vs

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

... Respondent/Complainant

For Petitioners : Mr.Karthick.R.J, 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.



CRL OP(MD). No.4508 of 2024

ORDER: The Court made the following order :-

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The petitioners/Accused Nos.3, 6 and 7, who were arrested and remanded to judicial custody from 06.03.2024 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, seek bail.

2. The case of the prosecution is that the petitioners 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 petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 06.03.2024 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 petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their



CRL OP(MD). No.4508 of 2024

executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with

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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 petitioners are directed to appear before the respondent Police daily at 10.30 A.M., for a period of two weeks and thereafter, as and when required for interrogation;

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

(d) the petitioners 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



CRL OP(MD). No.4508 of 2024

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

/ TRUE COPY /

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

TSG

To

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.



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CRL OP(MD). No.4508 of 2024

ORDER

IN

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Date :21/03/2024

ED/ /SAR- (21/03/2024) 5P / 6C

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