



CRL OP(MD). No.4690 of 2024

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

Date : 25/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.4690 of 2024

Vijayvembarasan

... Petitioner/Sole Accused

Vs.

The Inspector of Police,
Cholapuram Police Station,
Thanjavur District.
In Crime No.110 of 2024.

... Respondent/Complainant

For Petitioner : Mr.U.Antony Santhosh, 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.110 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 25.02.2024 for the offences punishable under Sections 294(b), 506(ii) of IPC r/w 25 (1A) of Arms Act in Crime No.110 of 2024, on the file of the respondent police, seeks



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2.The case of the prosecution is that on secret information received, the respondent went to the occurrence place, at that time, the petitioner threatened the public showing aruval and abused them in filthy language. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any allegations as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 25.02.2024. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that apart from this case, one previous case is pending against the petitioner, which is registered under Section 302 of IPC. Hence, he opposed to grant bail to the petitioner.

5.Heard. Perused the materials available on record including the First Information Report.

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 with certain conditions.

7.Accordingly, this Criminal Original Petition is ordered and 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



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of the learned District Munsif cum Judicial Magistrate, Thiruvudaimaruthur, 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;

<https://www.mhc.tn.gov.in/judis>



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

sd/-
25/03/2024

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25/03/2024
Sub-Assistant Registrar (PA-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUVIDAIMARUTHUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
CHOLAPURAM POLICE STATION
THANJAVUR DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL JAIL, TRICHY DISTRICT.



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5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
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Date :25/03/2024

PKP/25.03.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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