



CRL OP(MD). No.4860 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.4860 of 2024

Chinnadurai

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(In Crime No.117 of 2024.)

... Respondent/Complainant

For Petitioner : Mr.M.Mohana Bai, Advocate
for M/s.D.Venkatesh, 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.117 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



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on 03.03.2024 for the offences punishable under Sections 341, 294(b), 307 and 506(ii)

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of IPC in Crime No.117 of 2024, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that earlier, the petitioner approached the defacto complainant for job opportunity, but the same was refused by the defacto complainant. Due to that motive, on 03.03.2024 at about 11.30 a.m., when the defacto complainant was passing the Community Welfare Centre, Suthamalli, the petitioner tried to attack the head of the defacto complainant with sickle. However, the defacto complainant narrowly escaped. Thereafter, he abused the defacto complainant with filthy language and threatened him with dire consequences. 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. There is no one injured in this case. He would further submit that the petitioner is in judicial custody for the past 20 days. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that there is no one injured in this case and two previous cases are pending against the petitioner in similar nature. Hence, he opposed to grant bail to the petitioner.

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



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6.Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner and there is no injured in this case, 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 of the learned Judicial Magistrate, Cheranmahadevi, 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



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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/-
27/03/2024

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27/03/2024
Sub-Assistant Registrar (Liasoning)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

To

1.The Judicial Magistrate,
Cheranmahadevi.

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

3.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.

4.The Superintendent,
Central Prison,
Palayamkottai.



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

ORDER
IN
CRL OP(MD) No.4860 of 2024
Date :27/03/2024

ED/ /SAR- (27/03/2024) 5P / 6C

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