



CRL OP(MD).No.4876 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD).No.4876 of 2024

1.Seeni @ Seenivasagan
2.Thangapandi
3.Arunkumar

... Petitioners/ Accused No.2,4 & 6

Vs

State rep. by,
Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
In Crime No.115/2024..

... Respondent/ Complainant

For Petitioners : Mr.AK.Azagar Sami
Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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



CRL OP(MD).No.4876 of 2024

PRAYER :-
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For Bail in Crime No.115/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 13.03.2024 for the offence punishable under Sections 147, 148, 294(b), 342, 323, 324 and 307 of IPC, in Crime No.115 of 2024 on the file of the respondent Police, seek bail.

2.The case of the prosecution is that due to previous enmity, on 12.03.2024 at about 11.30 p.m., the petitioners unlawfully assembled, abused the defacto complainant in filthy language and also attacked him with deadly weapons and caused injuries to him. 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 the petitioners are in judicial custody from 13.03.2024. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent would



CRL OP(MD).No.4876 of 2024

submit that the injured was discharged from the hospital.

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5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case, the period of incarceration suffered by the petitioners and the fact that the injured was discharged from the hospital, this court is inclined to grant bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivakasi, 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., until further orders.



CRL OP(MD).No.4876 of 2024

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(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
28/03/2024

/ TRUE COPY /

28/03/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ssb

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CRL OP(MD).No.4876 of 2024

TO
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1. THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
3. THE OFFICER IN CHARGE,
SUB JAIL,
ARUPPUKKOTAI.
- 4.INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.4876 of 2024

Date :28/03/2024

RK/ (28/03/2024) 5P / 6C

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