



CRL OP(MD).No.4970 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Dharmaraj
2. Saran Raj

... Petitioner/ Accused 2 & 3

Versus

The State Rep. by
The Inspector of Police,
Natchiyarkoil Police Station,
Thanjavur District.
(Crime No.138 of 2024)

...Respondent/ Complainant

For Petitioners : Mr.V.Malaiyendran
Advocate.

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.138 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioners in Crime



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No.138 of 2024 for the offence under Sections 341, 294(b), 352 and 307 IPC and Section 25(1A) of Arms Act and remanded them into judicial custody on 24.02.2024.

Therefore, the petitioners have filed this petition seeking bail.

2. Totally, there are four accused in this case. The petitioners/A2 and A3 are sons of the first accused. The first accused is the first wife of one deceased Ravanam. The defacto complainant is the second wife. The case of the prosecution is that the accused persons have threatened the defacto complainant with dire consequences by showing a big aruval, compelled her to execute a release deed in their favour in respect of the property belonging to the deceased Ravanam and also attempted to murder her.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, the petitioners are languishing in jail from 24.02.2024. Therefore, he prays for grant of bail. He further submits that A1 has already been released on bail by this Court on 02.04.2024 passed in Crl.O.P.(MD)No.4691 of 2024



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4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the investigation is yet to be completed. He further submits that A3 has already been detained under the Tamil Nadu Act 14 of 1982.

5. Insofar as the second petitioner/A3 is concerned, this Criminal Original Petition is dismissed, as he has been detained under the Tamil Nadu Act 14 of 1982.

6. Insofar as the first petitioner/A2 is concerned, this Court, by considering the fact that there is no specific overt act against the first petitioner/A2 and also considering the period of incarceration, is inclined to grant bail to the first petitioner/A2.

7. Accordingly, this Criminal Original Petition is partly allowed. The first petitioner/A2 is ordered to be released on bail

i) on the first petitioner/A2 executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District.



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ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) **The first petitioner/A2 shall stay at Srikazhi and appear before the learned Judicial Magistrate No.I, Srikazhi, daily at 10.30 a.m. until further orders. He has to co-operate for the investigation.**

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-

04/04/2024

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04/04/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

1 THE JUDICIAL MAGISTRATE NO.II
KUMBAKONAM, THANJAVUR DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
NATCHIYARKOVIL POLICE STATION, THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM.

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

COPY TO:
THE JUDICIAL MAGISTRATE NO.I, SRIKAZHI

ORDER
IN
CRL OP(MD) No.4970 of 2024
Date :04/04/2024

SS/SAR- /04/04/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023