



CRL OP(MD).No.5561 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5561 of 2024

Anvar

... Petitioner/ A8

Versus

The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
(Crime No.157 of 2024)

... Respondent/Complainant

For Petitioner : Mr.R.M.Arun Swaminathan
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.157 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.157 of 2024 for the offence under Sections 147, 148, 323, 324, 506(ii) and 307 IPC



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and remanded him into judicial custody on 03.04.2024. Therefore, the petitioner has filed this petition seeking bail.

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2. The case of the prosecution is that the petitioner attacked the defacto complainant's husband, who is belonging to JAQH group. Hence, the case.

3. Earlier, when this petition came up for hearing on 08.04.2024, the learned counsel appearing for the petitioner submitted that the petitioner is a Muslim and he is also a member of the Meerasa Andavar Pallivasal, Muslim Street, Kanyakumari. There is a dispute among the members of Jamath in distributing nombu kanju. Therefore, this case has been registered and the petitioner has been implicated as an accused in this case. He further submits that on account of Ramzan, the petitioner is in fasting and he is not having any facility in prison for performing his religious obligations during the Ramzan. Therefore, he sought for grant of interim bail to the petitioner.

4. Considering the said submissions, this Court, by order dated 08.04.2024, granted interim bail to the petitioner till 15.04.2024 and directed the petitioner to surrender before the Prison on 16.04.2024.



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5. Today, when the matter is taken up for consideration, the learned counsel appearing for the petitioner submits that the petitioner has surrendered before the Prison yesterday, i.e. 16.04.2024, as directed by this Court on 08.04.2024 while granting interim bail.

6. Considering the nature of allegations and since the Ramzan is over, this Court is inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is ordered. The petitioner has already executed a bond 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.I, Nagercoil, at the time of releasing him on interim bail granted by this Court on 08.04.2024. The petitioner is ordered to be released on the said bond as already executed by him. The petitioner shall fulfill the following conditions:

i) The petitioner shall appear before the respondent Police as and when required for interrogation. He has to co-operate for the investigation.

ii) 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.



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

sd/-
17/04/2024

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17/04/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
NAGERCOIL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE OFFICER INCHARGE
SUB JAIL, NAGERCOIL.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.M.ARUN SWAMINATHAN, Advocate (SR-4507[I] dated 17/04/2024)



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ORDER
IN
CRL OP(MD) No.5561 of 2024
Date :17/04/2024

SS/SAR- /17/04/2024/5P/7C

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