



CRL OP(MD). No.5838 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/04/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.5838 of 2024

Thillai Chidambaram,
S/o.Solaiappa Nadar,
226, Keela Shanmugapuram North,
Thoothukudi,
Thoothukudi District.

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi,
Thoothukudi District.
(Crime No.41/2024).

... Respondent/Complainant

For Petitioner :Mr.N.Pragalathan,
Advocate.

For Respondent :Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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



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PRAYER :-
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For Bail in Crime No.41 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 04.02.2024 for the alleged offence under Sections 294(b), 324, 307, 506(ii) @ 294(b), 302 and 506(ii) IPC, in Crime No.41 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the owner of a Lorry shed. The deceased was working with the petitioner. The deceased used to come to office by consuming liquor, which was objected by the petitioner and the deceased was sent out of the job. On the occurrence day, the deceased visited the office and picked up a quarrel with the petitioner. Therefore, the petitioner has assaulted the deceased with a Hammer.

3.The learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. He was falsely implicated in the said case. He is languishing in jail from 04.02.2024. He has already moved a bail application before the Principal District and Sessions Court, Tuticorin and the same was dismissed on 12.04.2024.



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4.The learned Additional Public Prosecutor appearing for the respondent objects for grant of bail that while taking treatment, the defacto complainant died and the respondent police has altered the offence into Sections 294(b), 302 and 506(ii) IPC. He further submits that no previous case is pending as against this petitioner.

5. Considering the facts and circumstances of this case and considering the period of incarceration and the fact that no case is pending as against this petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on the following conditions:-

i) The petitioner shall execute 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.I, Tuticorin.

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;



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iii) The petitioner shall report before the respondent police daily at 10.30 a.m, until further orders.

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. The petitioner 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/-
16/04/2024

/ TRUE COPY /

16/04/2024
Sub-Assistant Registrar (AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vrn

TO

1.THE JUDICIAL MAGISTRATE NO.I, TUTICORIN.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3.THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

4.THE INSPECTOR OF POLICE,
THOOTHUKUDI SOUTH POLICE STATION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-4450[I] dated 16/04/2024)

ORDER
IN
CRL OP(MD) No.5838 of 2024
Date :16/04/2024

RK (16/04/2024) 5P / 7C

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