



CRL OP(MD).No.5867 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

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1. Yuvaraj  
2. Thamaraiselvan

... Petitioners/ A1 and A2

Versus

State Rep. by  
The Inspector of Police,  
Nadukaveri Police Station,  
Thanjavur District.  
(Crime No.161 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.P.Surliraja  
Advocate

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

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

PRAYER :-

For Bail in Crime No.161 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.161 of 2024 for the offence under Sections 294(b), 342 and 506(ii) IPC r/w. 25(1-A) of Arms Act 1959 and remanded them into judicial custody on 31.03.2024. Therefore, the petitioners have filed this petition seeking bail.

2. The case of the prosecution is that on 31.03.2024, at about 11.00 a.m., when the defacto complainant was standing near Annasalai, the petitioners came there in a two-wheeler bearing Reg.No.TN49 BE 9540, abused the defacto complainant in filthy language and threatened him with dire consequences. The first petitioner/A1 has also attempted to attack the defacto complainant with aruval. Hence, the case.

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, they are languishing in jail from 31.03.2024.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the grounds that the first petitioner/A1 is having one previous case, relating to the prohibition offence. However, he fairly submits that the second petitioner/A2 is not having any previous case. He further submits that no one has been injured in the alleged occurrence.



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5. Considering the nature of allegation, the period of incarceration and also considering the fact that no one has been injured in the alleged occurrence, this Court is inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail

i) on the petitioners executing a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand)each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru.

ii) The petitioners 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/A1 shall appear before the respondent Police daily at 10.30 a.m. for a period of one week and thereafter, as and when required for interrogation. The second petitioner/A2 shall appear before the respondent Police as and when required for interrogation. They have to co-operate for the investigation.

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



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v) On violation of any of the above conditions by the petitioners, 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  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

OGY

TO

- 1 THE JUDICIAL MAGISTRATE,  
THIRUVAIYARU.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.L
- 3 THE INSPECTOR OF POLICE  
NADUKAVERI POLICE STATION, THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,  
SUB JAIL, THANJAVUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.P.SURLI RAJA, Advocate ( SR-4515[I] dated 17/04/2024 )



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ORDER  
IN  
CRL OP(MD) No.5867 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