



CRL OP(MD). No.6295 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6295 of 2024

and

CRL MP(MD). No.4943 of 2024

G.Kaleb,

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(Crime No.73/2024).

... Respondent/Complainant

For Petitioner : M/s.Ashish J,
Advocate.

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

For Intervenor : Mr.N.Pragalathan, Advocate

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

PRAYER :-

For Bail in Crime No.73/2024 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



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No.73 of 2024 for the offence under Sections 448, 341, 294(b) and 506(ii) of IPC and Section 3(1) of Tamil Nadu Property (Prevention and Damage and Loss) Act, 1992 and remanded him into judicial custody on 29.03.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that on 28.03.2024, the petitioner along with other accused trespassed into the house of the defacto complainant, restrained him, abused him in filthy language, caused damage to the household articles worth about Rs.3,00,000/- and also criminally intimidated him.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 29.03.2024. Hence, he prays for grant of bail to the petitioner. He further submits that the petitioner, in order to show his *bona fide*, is also prepared to deposit a sum of Rs.50,000/- to the credit of Crime No.73 of 2024 on the file of the Judicial Magistrate Court No.III, Thoothukudi.

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. However, he fairly submits that the petitioner is not having any previous case.



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5. Considering the nature of offence, the period of incarceration, the antecedent of the petitioner and also considering the fact that the petitioner is ready to deposit a sum of Rs.50,000/- to the credit of Crime No.73 of 2024 on the file of the Judicial Magistrate Court No.III, Thoothukudi, 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

i) on the petitioner 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 Judicial Magistrate Court No.III, Thoothukudi and also on payment of Rs.50,000/- (Rupees fifty thousand) to the credit of Crime No.73 of 2024 on the file the Judicial Magistrate Court No.III, Thoothukudi.

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 petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. He has to co-operate for the investigation.



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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. Consequently, connected miscellaneous petition is closed.

sd/-
30/04/2024

/ TRUE COPY /

30/04/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE OFFICER INCHARGE,
PERURANI SUB JAIL, THOOTHUKUDI.
- 4 THE INSPECTOR OF POLICE
PUDUKOTTAI POLICE STATION, THOOTHUKUDI DISTRICT.



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

+1 CC to M/s.J.ASHISH, Advocate (SR-5219[I] dated 30/04/2024)

ORDER
IN
CRL OP(MD) No.6295 of 2024
and
CRL MP(MD). No.4943 of 2024
Date :30/04/2024

SS/SAR- /30/04/2024/5P/7C

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