



CRL OP(MD). No.6827 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

THE HON`BLE MRS.JUSTICE S.SRIMATHY

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Joseph

... Petitioner/Sole Accused

Vs.

The Inspector of Police,
Lalgudi Police Station,
Trichy.
(Crime No.169 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.B.Kayvin Prince,
Advocate

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.169 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /sole accused, who was arrested and remanded to judicial custody on 12.04.2024, for the offences under Sections 294(b) and 307 of IPC which was altered into offences under Sections 294(b) and 302 IPC in Crime No.169 of 2024,



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on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 08.04.2024, at 09.00 p.m., the deceased along with the de-facto complainant went to the petitioner's hotel and at that time, the petitioner abused the deceased using filthy language and attacked him with bamboo stick at his head. Thereby, the deceased fell unconscious and the de-facto complainant took the deceased to Lalgudi Government Hospital. Hence, the complaint.

3. The learned counsel appearing 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 12.04.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submits that the occurrence took place due to previous enmity between the petitioner and the deceased. He further submitted that the petitioner has no previous cases.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration, this court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on he executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for



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a like sum to the satisfaction of learned Judicial Magistrat, Lalgudi and on further conditions that :-

- a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.
- b) the petitioner shall produce a copy of his Aadhar Card before the Magistrate Court.
- c) the petitioner shall report before the respondent police as and when required.
- d) the petitioner shall not abscond either during investigation or trial.
- e) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



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g) If the accused thereafter absconds, a fresh FIR can be registered under

Section 229A IPC.

sd/-

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22/05/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

MR

To

1 THE JUDICIAL MAGISTRATE, LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, LALGUDI POLICE STATION, TRICHY.

4 THE SUPERINTEDENT, CENTRAL PRISON, TRICHY.

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

ORDER IN

CRL OP(MD) No.6827 of 2024

Date :22/05/2024

RS//SAR-(22.05.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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