



CRL OP(MD). No.6881 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

CRL OP(MD). No.6881 of 2024

1. Ramakrishnan @ Ramar
2. Mahesh

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Koodankulam Police Station,
Koodankulam,
Tirunelveli District.
Crime No.167 of 2024.

... Respondent/Complainant

For Petitioners : M/s.S.Palani Velayutham, Advocate
For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 167 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners who were arrested and remanded to judicial custody on 15.04.2024 for the offence punishable under Sections 294(b), 352, 307, 506(ii) IPC, in Crime No. 167 of 2024, on the file of the respondent police, seek bail.



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2. The case of the prosecution is that due to dispute between the parties in a temple festival, the accused persons have assaulted the defacto complainant and also threatened him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and not committed any offence as alleged by the prosecution. A false case has been foisted against them. The petitioners are in custody from 15.04.2024. Hence, prays to release them on bail.

4. The learned Additional Public Prosecutor appearing for the respondent would object to release the petitioners on bail, since the petitioners are having previous cases at their credit. However, he conceded that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case, nature of dispute between the parties and also taking note of the period of incarceration, this Court is inclined to grant bail to the petitioners with some stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Radhapuram, Tirunelveli District and on further conditions that :-

a) the sureties shall affix their photographs and Left Thumb Impression in the



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- surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;
- b) the petitioners shall report before the respondent police daily at 10.30 a.m, until further orders;
- c) the petitioners shall not abscond either during investigation or trial;
- d) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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];
- f) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/05/2024

/ TRUE COPY /

22/05/2024
Sub-Assistant Registrar (C.S. III)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE, RADHAPURAM, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE, KOODANKULAM POLICE STATION,
KODANKULAM, TIRUNELVELI DISTRICT.

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

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate (SR-5631[I] dated 22/05/2024)

ORDER

IN

CRL OP(MD) No.6881 of 2024

Date :22/05/2024

RS//SAR-(22.05.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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