



CRL OP(MD). No.7381 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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1. Rose Pandi
2. Pandiyaraj

... Petitioners/ Accused No.1 & 2

versus

The Inspector of Police,
Peraiyur Police Station,
Madurai District.
(Crime No.111 of 2024)

... Respondent/Complainant

For Petitioners : Mr.M.Gnanagurunathan, 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.111/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A1 and A2, who were arrested and remanded to judicial custody on 23.04.2024 for the offences under Sections 294(b) and 307 IPC, in Crime No.111 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to previous enmity, on 22.04.2024, the



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accused persons came to the defacto complainant's hotel, abused him in filthy language and assaulted him with a wooden log on his head and caused injuries.

3. The learned counsel appearing 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 23.04.2024. Hence, he prays for grant of bail to the petitioners. He further submits that A3 and A4 were already released on bail by the lower Court on 30.04.2024.

4. The learned Additional Public Prosecutor opposes for grant of bail on the ground that the investigation is yet to be completed. However, he fairly submits that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration and also considering the fact that the injured has been discharged from the hospital, 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 on their 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, Peraiyur, Madurai 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 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. for a period of two weeks and thereafter as and when required for interrogation.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/05/2024

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22/05/2024

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

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TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, PERAIYUR, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, PERAIYUR POLICE STATION,
MADURAI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.M.GNANAGURUNATHAN, Advocate (SR-5552[I] dated
22/05/2024)

ORDER

IN

CRL OP(MD) No.7381 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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