



CRL OP(MD). No.7595 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.7595 of 2024

Prasath,

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
Crime No.226 of 2024.

... Respondent/Complainant

For Petitioner : Mr.R.Anandharaj,Advocate.

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

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

PRAYER :-

For Bail in Cr.No.226 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on
08.05.2024, for the offence under Sections 143, 109, 291, 341, 294(b), 353, 323, 506(ii) of



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IPC and Section 3 of the Tamil Nadu Public Property (Prevention of Destruction and Loss) Act, 1982 in Crime No.226 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that with the allegation that the police officials belong to other community have harassed the Devar Community people, the petitioner along with other accused persons has raised slogans as against the police officials and prevented the Sub Inspector of police from discharging his duty on 08.05.2024. They have further demanded that the police officials belong to the Devar community alone to be posted in Devarkulam. The accused persons have also damaged the window of the Van, in which, they have brought to the Police station. 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 08.05.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police strongly opposes for grant of bail to the petitioner and submits that totally there are fifty eight accused in this case. Investigation in this case is yet to be

completed

<https://www.mhe.tn.gov.in/judis>



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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 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) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.III, Tirunelveli 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 stay at Thanjavur and report before the Inspector of Police, Pattukkottai Town Police Station, Thanjavur daily at 10.30 a.m., until further orders. He shall co-operate for interrogation.
- c) the petitioner shall not abscond either during investigation or trial.
- d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the



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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].

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.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
TIRUNELVELI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
DEVARKULAM POLICE STATION,
TIRUNELVELI DISTRICT.



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4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI.

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

COPY TO

THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR

ORDER
IN

CRL OP(MD) No.7595 of 2024

Date :22/05/2024

PKP/22.05.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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