



CRL OP(MD). No.7382 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.7382 of 2024

Satheeskumar

... Petitioner/ Accused No.2

versus

The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(Crime No.249 of 2023)

... Respondent/Complainant

For Petitioner : Mr.R.Balamuruganantham, 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.249 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 07.05.2024 for the offence punishable under Sections 147, 148, 341, 294(b), 323, 324 and 307 IPC altered into Sections 147, 148, 341, 234(b), 323, 324, 307, 120(b) IPC, in

Crime No.249 of 2023 on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that the defacto complainant is an Agent for sending persons to abroad. The petitioner and others came to the defacto complainant's house to go abroad. Due to some reasons, there was a delay for sending them to abroad, following which, there was a wordy quarrel between them. Due to such motive, on 20.09.2024, at about 7.00 p.m., when the defacto complainant was going on Pasani Vilakku Road near Kunjangulam Pathway, the petitioner and other accused came there in a car, waylaid him and abused him in filthy language. A1 assaulted the defacto complainant with an iron road on his left leg and other accused assaulted him on his hands and legs and thereby caused injuries.

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 07.05.2024. Hence, he prays for grant of bail to the petitioner.

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 petitioner.



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6. Accordingly, this Criminal Original Petition is ordered and 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, Thiruvadanai, Ramanathapuram District and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the learned Judicial Magistrate, Pattukottai, daily at 10.30 a.m. until further orders.

[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 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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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-

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22/05/2024

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

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TO

1 THE JUDICIAL MAGISTRATE, THIRUVADANAI,
RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE, THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, PUDUKKOTTAI,
PUDUKKOTTAI DISTRICT.

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

COPY TO

1 THE JUDICIAL MAGISTRATE, PATTUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-5585[I] dated
22/05/2024)

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



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ORDER

IN

CRL OP(MD) No.7382 of 2024

Date :22/05/2024

RS//SAR-(22.05.2024) 5P 9C

Madurai Bench of Madras High Court is issuing
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