



CRL OP(MD). No.7408 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.7408 of 2024

Balamurugan,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Mattuthavani Police Station,
Madurai District.
(In Crime No.330/2024).

... Respondent/ Complainant

For Petitioner : Mr.G.Kaleeswaran.
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. 330 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A2, who was arrested and remanded to judicial custody on

05.05.2024, for the offence under Sections 392 and 397 of IPC in Crime No.330 of 2024

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



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on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused has committed robbery of Rs.350/- and a silver bracelet from the defacto complainant, by showing an iron rod and also assaulted him by hands. 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 05.05.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submits that the investigation is yet to be completed. He further submits that no previous case is pending as against this petitioner.

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 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.VI, Madurai 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



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card or Bank pass Book to ensure their identity.

- b) the petitioner shall report before the respondent police 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].
- 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.



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VRN
TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
MATTUTHAVANI POLICE STATION,
MADURAI DISTRICT.
- 4 THE OFFICER INCHARGE, SUB JAIL, MELUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.KALEESWARAN, Advocate (SR-5629[I] dated 22/05/2024)

ORDER
IN

CRL OP(MD) No.7408 of 2024

Date :22/05/2024

PKP/22.05.2024/ 4P/7C

Madurai Bench of Madras High Court is issuing certified
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