



CRL OP(MD). No.7507 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.05.2024

PRESENT

THE HON'BLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD). No.7507 of 2024

Ashok @ Ashokkumar

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Allinagaram Police Station,
Theni District.
(Crime No. 41 of 2024).

... Respondent/Complainant

For Petitioner : Mr.S.Sivaprakash, Advocate

For Respondent : Mr.M.Sakthi Kumar, Government Advocate

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

PRAYER :-

For Bail in Crime No. 41 of 2024 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 25.04.2024, for the offence under Sections 147, 147, 148, 324, 307 of IPC in Crime No.41 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the accused persons assaulted the defacto complainant's brother. Hence, the complaint.



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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. He further submits that the petitioner's name is not found in FIR. However, the respondent Police arrested him and he is languishing in jail from 25.04.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate(Crl.side) appearing for the respondent police submits that the injured person has already been discharged from the hospital.

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 the learned Judicial Magistrate, Theni District 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 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.



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- 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/-
23/05/2024

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23/05/2024

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

MGA/ABR

To

1 THE JUDICIAL MAGISTRATE, THENI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE, ALLINAGARAM POLICE STATION,
THENI DISTRICT.



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4 THE OFFICER INCHARGE, DISTRICT JAIL, K.VILAKU, THENI DISTRICT.

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

+1 CC to M/s.S.SIVAPRAKASH, Advocate (SR-5733[I] dated 23/05/2024)

ORDER
IN

CRL OP(MD) No.7507 of 2024

Date :23/05/2024

RS//SAR-(23.05.2024) 4P 7C

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