



CRL OP(MD). No.7707 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.05.2024

PRESENT

THE HON`BLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD). No.7707 of 2024

Madeshwaran

... Petitioner/ Accused No.1

Vs

State Rep. by
The Sub -Inspector of Police,
Irukkankudi Police Station,
Virudhunagar District.
(In Crime No.106 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.M.Jothi Basu ,Advocate
For Respondent : Mr.S.Ravi
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 106 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on

02.10.2023, for the offence under Sections 294(b) 307 and 109 of IPC in Crime No.106
<https://www.mhc.tn.gov.in/judis>



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of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the on consuming liquor, the petitioner and other accused had wordy quarrel with the defacto complainant and also attacked him with beer bottles and caused injuries. 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 02.10.2023. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submits that the injured has already been discharged and the investigation has been completed.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from the hospital 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



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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 Judicial Magistrate No.II, Sattur 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 Judicial Magistrate No.II, Sattur 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



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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/-
24/05/2024

/ TRUE COPY /

24/05/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN
TO

- 1 THE JUDICIAL MAGISTRATE NO.II
SATTUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE SUB INSPECTOR OF POLICE
IRUKKANKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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



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COPY TO
THE SUBORDINATE JUDGE,
SATTUR.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-5784[I] dated 24/05/2024)

ORDER
IN
CRL OP(MD) No.7707 of 2024
Date :24/05/2024

PKP/24.05.2024/ 5P/8C

Madurai Bench of Madras High Court is issuing certified
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