



CRL OP(MD). No.7511 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.7511 of 2024

P.Muthukumar

... Petitioner/ 11th Accused

Vs

The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(In Crime No.136 of 2009).

... Respondent/ Complainant

For Petitioner : Mr.S.Venkatesan, 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. 136 of 2009 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / 11th accused, who was arrested and remanded to judicial custody on 22.04.2024, for the offence under Sections 147, 148, 452, 323, 325, 307 r/w



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120(B) of IPC r/w Section 3(1) of the TNPPDL Act in Crime No.136 of 2009 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused attacked the defacto complainant's father and others due to the dispute over the property, which was purchased through the auction by the defacto complainant's father. 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 22.04.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submits that since the petitioner was not appearing before the trial Court, Non Bailable Warrant was issued to the Petitioner and the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and also taking note



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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 District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur 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 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



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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/-
23/05/2024

/ TRUE COPY /

23/05/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SM
TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, ORATHANADU,
THANJAVUR DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE
SUB JAIL, THANJAVUR



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

ORDER
IN
CRL OP(MD) No.7511 of 2024
Date :23/05/2024

PKP/23.05.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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