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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.7617 of 2024

Janarthanan ... Petitioner/Accused No.3

Vs

The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
(Crime No.221 of 2024). ... Respondent/Complainant

For Petitioner : Mr.R.LDhilipan Pandian, Advocate
For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 221 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / third accused, who was arrested and remanded to judicial custody on 21.04.2024, for the offence under Sections 147, 341, 294(b), 353, 352, 332 and 506(i) of IPC @ 147, 341, 294(b), 353, 352, 332, 506(i), 307 & 506(i)(b) of IPC in Crime No.221 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner along with other accused is said to have attacked the victim and abused them in filthy language and threatened them with dire consequences. 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 21.04.2024. He further submits that A1, A5 and A6 have already been granted bail by the Trial Court. 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 investigation is yet to be completed.

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 No.I, Kumbakonam, 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.

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b) the petitioner shall stay at Madurai and report before the Inspector of Police, Othakadai Police Station, Madurai, 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/-
23/05/2024

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24/05/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1 THE JUDICIAL MAGISTRATE NO.I, KUMBAKONAM, THANJAVUR DISTRICT.

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

3 THE INSPECTOR OF POLICE, KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, PAPANASAM, THANJAVUR.

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

COPY TO

THE INSPECTOR OF POLICE, OTHAKADAI POLICE STATION, OTHAKADAI,
MADURAI DISTRICT.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-5736[I] dated 23/05/2024)

ORDER
IN
CRL OP(MD) No.7617 of 2024
Date :23/05/2024

RS//SAR-(23.05.2024) 4P 8C
Madurai Bench of Madras High Court is issuing
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