



CRL OP(MD). No.7618 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.7618 of 2024

Gerald Ruban

... Petitioner/ Sole Accused

Vs

**The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(In Crime No.151 of 2024).**

... Respondent/ Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian,Advocate

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

For Intervenor : Mr.B.Balamanikandan,Advocate

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

PRAYER :-

For Bail in Crime No. 151 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial custody on 21.04.2024, for the offence under Sections 294(b) & 304 (1) of IPC in Crime

No.151 of 2024 on the file of the respondent police, seeks bail.

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



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2. The case of the prosecution is that the petitioner attacked the victim and abused the victim and his family in filthy language and also attacked the victim. While he was taken to hospital, the victim was found dead. 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. 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 Judicial Magistrate No.II, Thanjavur 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 stay at Madurai and report before the Inspector of Police,

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CRL OP(MD). No.7618 of 2024

Othakadai, 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

/ TRUE COPY /

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

SM
TO
1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.



CRL OP(MD). No.7618 of 2024

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

3 THE INSPECTOR OF POLICE
THANJAVUR TALUK POLICE STATION, THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT JAIL, THANJAVUR.

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

COPY TO

THE INSPECTOR OF POLICE, OTHAKADAI, MADURAI.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-5738[I] dated 23/05/2024)

ORDER

IN

CRL OP(MD) No.7618 of 2024

Date :23/05/2024

PKP/23.05.2024/ 4P/ 8C

Madurai Bench of Madras High Court is issuing certified
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