



CRL OP(MD). No.8221, 8236 and 8283 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/06/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8221, 8236 and 8283 of 2024

CRL OP(MD). No.8221 of 2024:-

Pothiraj,

... Petitioner/ Accused No.4

Vs.

**The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
Crime No.237 of 2024.**

... Respondent/Complainant

CRL OP(MD). No.8236 of 2024:-

1.Sakthimari,

2.T.Kannan @ Elaneer Kannan

... Petitioners/ Accused

Vs.

**The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
Crime No.237 of 2024.**

... Respondent/Complainant



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CRL OP(MD). No.8283 of 2024:-

1.Madhankumar

2.Rishwan Kan Sahip,

... Petitioners/ Accused Nos. 1 & 3

Vs.

The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
Crime No.237 of 2024.

... Respondent/Complainant

For Petitioner in CrI.OP(MD) No.8221/2024

: Mr.C.Suresh Kannan,

For Petitioners in CrI.OP(MD) No.8283/2024

: Mr.R.Mathava Selvam

For Petitioners in CrI.OP(MD) No.8236/2024

: Mr.P.T.Ramesh Raja

For Respondent in all CrI.OPs

: Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

COMMON PRAYER :-

For Bail in Crime no.237 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following common order :-

The petitioner in CrI.OP(MD) No.8221 of 2024 is the fourth accused, the



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petitioners in Crl.OP(MD) No.8236 of 2024 are A5 and A6 and the petitioners in Crl.OP(MD) No.8283 of 2024 are A1 and A3, who were arrested for the offences under Sections 394 IPC altered into 120(B), 397 r/w 34 IPC in Crime No.237 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the case was originally registered for the offence under Section 394 IPC on the complaint of the defacto complainant, who is the Village Panchayat President that on 02.05.2024, the accused 1 to 3 have entered into the defacto complainant's house in the late night hours, attacked him and snatched away two mobile phones. The respondent police arrested A1 to A7 on 03.05.2024 and found that A5 and A6 have made conspiracy to tarnish the image of the defacto complainant. A6 has contested the election for Panchayat President as against the defacto complainant and lost the election. With that motive, he has conspired with his friend A5 and during the Village festival they have planned to contact the defacto complainant through A8 and induced him to send some photographs and with that photographs, they have engaged A1 to A3, who are working in Zomato as hooligans with a promise that they would pay a sum of Rs.1,00,000/- in order to get Rs.20,00,000/- from the defacto complainant. On the alarm given by the wife of the defacto complainant, the accused persons could not complete their task and A1 to A3 left some evidence, while escaping from the scene of



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occurrence. With that the respondent police have secured the remaining accused.

3.The learned counsel appearing for the petitioners in all Crl.OPs submits that A4 is not present in the scene of occurrence; the stolen property has been recovered from A1 and A2; due to political motive, the other petitioners have been implicated in this case.

4.The learned Additional Public Prosecutor strongly opposes for grant of bail to the petitioners as the investigation in this case is yet to be completed. He further submits that A1 is having one previous case, A3 is having two previous cases and A5 is having three previous cases, out of which, one case has been registered for the offence under Section 302 IPC.

5.Considering the facts and circumstances of this case and considering the alleged role played by the accused persons, specifically, the petitioners in Crl OP (MD) No.8236 of 2024/ the main accused, who have conspired with the other accused, this Court is not inclined to grant bail to the petitioners in Crl OP(MD) No.8236 of 2024. Accordingly, Crl OP(MD) No.8236 of 2024 is dismissed. Insofar as the other petitioners in Crl.OP(MD) Nos.8221 and 8283 of 2024 are concerned, this Court is inclined to grant bail to them with some conditions.

6. Accordingly, Crl.OP(MD) Nos.8221 and 8283 of 2024 are ordered and the petitioners in Crl.OP(MD) Nos.8221 and 8283 of 2024 alone are ordered to be released



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on bail on the following conditions:-

- i) The petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi.
- ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- iii) The petitioners shall report before the respondent police daily at 10.30 a.m and 5.00 p.m until further orders.
- iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.
- v) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the bail.

sd/-

06/06/2024

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06/06/2024

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

VRN



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TO
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- 1 THE JUDICIAL MAGISTRATE,
TENKASI.
- 2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
TENKASI POLICE STATION,
TENKASI DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-6159[I] dated 06/06/2024)
+1 CC to M/s.R.MATHAVASELVAM, Advocate (SR-6184[I] dated 06/06/2024)

ORDER
IN

CRL OP(MD) No.8221 of 2024
Date :06/06/2024

PKP/06.06.2024/ 6P/8C

Madurai Bench of Madras High Court is issuing certified
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