



CRL OP(MD). No.8447 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8447 of 2024

Shanmugavel,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Sikkal Police Station,
Ramanathapuram District.
(Crime No.55/2024)..

... Respondent/Complainant

For Petitioner : Mr.K.Muthuvai Ilayaraja,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.55/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime



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No.55 of 2024 for the offence under Sections 341, 294(b), 324 and 307 of IPC and remanded him into judicial custody on 24.04.2024. Therefore, the petitioner has filed this petition seeking bail.

2.The case of the prosecution is that on 23.04.2024 at about 11.00 p.m., the defacto complainant was going near Balamurugan Petty shop, at that time, the petitioner and other accused persons waylaid his friends, abused him in filthy language and tried to assault them. When the same was questioned by the defacto complainant, all the accused attacked the defacto complainant and his friends and caused injuries to them. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submits that the defacto complainant has approached the villagers for conversion and therefore, he has raised objections, due to which, a false case has been foisted against this petitioner. He further submits that the similarly placed accused have already been arrested and released on bail by the trial Court and the petitioner is languishing in jail from 24.04.2024.



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4.The learned Additional Public Prosecutor for the respondent strongly opposed to grant bail on the ground that the petitioner prevented other community members from entering into the village.

5.Taking into consideration of the facts and circumstances of the case and also the period of incarceration, this Court is inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on the following conditions:-

i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Kadaladi;

ii) The petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation. He has to co-operate for the investigation;



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iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
10/06/2024

/ TRUE COPY /

10/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

- 1 THE JUDICIAL MAGISTRATE,
KADALADI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.



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4 THE INSPECTOR OF POLICE
SIKKAL POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.K.MUTHUVAI ILAYARAJA, Advocate (SR-6255[I] dated
10/06/2024)

ORDER
IN
CRL OP(MD) No.8447 of 2024
Date :10/06/2024

SS/SAR- /10/06/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023