



CRL OP(MD). No.8508 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8508 of 2024

Maria Anthony Sahilan @ Sakilan

... Petitioner/ Accused(Single)

Vs

The Inspector of Police,
North Police Station,
Thoothukudi District
Crime No.146/2024.

... Respondent/Complainant

For Petitioner : Mr.R.Anand.
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabhahar
Additional Advocate General

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

PRAYER :-

For Bail in Crime No.146/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

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The petitioner, who was arrested on 03.05.2024 for the alleged offence under Sections 294(b), 353 and 506(i) of IPC in Crime No.146 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is an accused in Crime No.146 of 2024 and when the Sub Inspector of Police went to the petitioner's house in order to arrest him and explained him about his arrest, the petitioner has closed down the gate from inside his house and prevented the officials from discharging their duty and also abused them. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner was not available in the place of occurrence. The respondent police has taken the petitioner into custody in a robbery case and subsequently foisted the present case as if he prevented the respondent police from discharging their duty.

4.The learned Additional Public Prosecutor appearing for the respondent police opposes for grant of bail to the petitioner that nine previous cases are pending as against this petitioner, out of which, two cases have been registered for the offence



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under section 302 IPC and four cases have been registered for the offence under Section 307 IPC.

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5.In reply, the learned counsel for the petitioner submits that the petitioner has not involved in any offence for the past 2 ½ years. One Jeyakumar, the Parish Priest of Sacred Hearts' Cathedral, Tuticorin, the mother of the petitioner, namely Geetha and one Maria Geetha, Tuticorin Corporation Councillor of 26th Ward have filed an affidavit of undertaking before this Court that the petitioner will not indulge in any offence in future. The petitioner has also filed an affidavit of undertaking to that effect.

6.The mother of the petitioner, who is present before this Court submits that since the petitioner has got an employment opportunity in Trichy as Crane Operator, they are intending to shift the place. However, for the purpose of attending the trial, they are residing in the occurrence village. She undertakes that the petitioner will not indulge in any offence in future.

7.Considering the affidavits filed by the Parish Priest, the mother of the petitioner and the Tuticorin Corporation Councillor of 26th Ward that the petitioner

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will not indulge in any offence in future and also considering the affidavit of the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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 No.III, Thoothukudi.

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 once in a week. He has to co-operate for the investigation.

iv) The petitioner and the Parish Priest, of Sacred Hearts' Cathedral, Tuticorin, the mother of the petitioner and the Tuticorin Corporation Councillor of 26th Ward shall file similar affidavits before the concerned



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police station.

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v) 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.

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

sd/-
18/06/2024

/ TRUE COPY /

18/06/2024
Sub-Assistant Registrar (VIGILANCE)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

1.THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3.THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI.



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4.THE INSPECTOR OF POLICE,
NORTH POLICE STATION,
THOOTHUKUDI DISTRICT

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

+1 CC to M/s.R.ANAND, Advocate (SR-6590[I] dated 18/06/2024)

ORDER
IN
CRL OP(MD) No.8508 of 2024
Date :18/06/2024

RK/ (18/06/2024) 6P / 7C

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