



CRL OP(MD).No.8537 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.8537 of 2024

S.Syed Ajarudeen

... Petitioner / Accused No.5

Versus

The State,
Rep. by the Inspector of Police,
Kodalpudur Police Station,
Madurai District.
(Crime No.218 of 2024)

... Respondent / Complainant

For Petitioner : Mr.M.Ajmal Khan, 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.218 of 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 No.218 of 2024 for the offence under Sections 147, 148, 342, 294(b), 324, 307 and



CRL OP(MD).No.8537 of 2024

506(ii) IPC 1860 and remanded him into judicial custody on 14.05.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The defacto complainant is a Srilankan refugee. The case of the prosecution is that due to previous enmity, on 12.05.2024, at 6.30 p.m., when the defacto complainant was sitting at the vacant site nearby his house, all the accused persons surrounded him, abused him in filthy language and also assaulted him with deadly weapons and caused injuries. Hence, the case.

3. The learned counsel for the petitioner submits that the defacto complainant was working as a painter along with the brother of A1. Due to some dispute with regard to the payment of salary, the other accused assaulted the defacto complainant. At that time, the petitioner was playing cricket there. After hearing the quarrel, the petitioner came to the place of occurrence and he has not committed any offence as alleged by the prosecution. However, he has been falsely implicated in this case and he is in jail from 14.05.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police submits that the petitioner herein is arrayed as A6. The main overt act is attributed as against A1 and A2. The overt act attributed against the petitioner/A6 is that he was present along with the other accused and waylaid the victim. He



CRL OP(MD).No.8537 of 2024

further submits that the injured has been discharged from the hospital.

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5. Considering the nature of offence, the period of incarceration and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner with certain conditions.

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

i) on the petitioner executing 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.IV, Madurai.

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 appear before the respondent Police daily at 10.30 a.m. until further orders. He has to co-operate for the investigation.

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. He shall be available for the trial as well.



CRL OP(MD).No.8537 of 2024

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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/-
11/06/2024

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11/06/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

To

1.The Judicial Magistrate No.IV,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Kodalpudur Police Station,
Madurai District.

4.The Superintendent,
Central Prison,
Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.AJMAL KHAN, Advocate (SR-6340[I] dated 11/06/2024)



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CRL OP(MD).No.8537 of 2024

ORDER

IN

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Date :11/06/2024

ED/ /SAR- (11/06/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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