



CRL OP(MD). No.8896 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.8896 of 2024

1 Karthick

2 Madasamy

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.

Crime No.217 of 2024

... Respondent/Complainant

For Petitioners : M/s.M.Rajarajan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.217 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who were arrested and remanded to judicial custody on 05.06.2024 for the offences punishable under Sections 147, 148, 341, 307 and 506(ii) of IPC in Crime No.217 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity between the petitioners and the defacto complainant, on 30.05.2024, at about 09.45 p.m, when the defacto complainant was returning back to his house, the petitioners along with



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others waylaid the defacto complainant and abused him in filthy language and attacked him with aruval and caused injuries. Thereby, he was admitted in the Hospital. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that to wreck vengeance, the defacto complainant given a false complaint against the petitioners. He would further submit that the injured was discharged from the hospital and the petitioners are in custody from 05.06.2024. Hence, he prayed to grant bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the injured was discharged from the hospital.

5.Considering the period of incarceration and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Judicial Magistrate Court No.VI, Trichy.

(i)the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioners shall not tamper with evidence or witness;

(iv)the petitioners shall not abscond during trial.

(v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

(vi) If the accused thereafter abscond, a fresh FIR can be registration under Section 229A IPC.

sd/-
01/07/2024

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01/07/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



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TO

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1 THE JUDICIAL MAGISTRATE NO.VI, TRICHY.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE, THIRUVERUMBUR POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-7155[I] dated 01/07/2024)

ORDER

IN

CRL OP(MD) No.8896 of 2024

Date :01/07/2024

RS//SAR-(01.07.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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