



CRL OP(MD). No.9040 of 2024

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

Date : 20/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.9040 of 2024

1. Kumaresan

2. Abimanu @ Abimani

3. Vignesh

4. Mathankumar

5. Manoj ... Petitioners/ Accused No.3 to 5, 7 & 8

Vs

The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
In Crime No.190/2024.

... Respondent/Complainant

For Petitioner : M/s.Jeyamohan.K, 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.190/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioners in Crime No.190 of 2024 for the offence under Section 147, 148, 448, 294(b), 323, 324 and 506(ii) IPC, subsequently the Sections were altered as 147, 148, 448, 294(b), 323, 324, 307 and 506(ii) IPC and remanded them into judicial custody on 26.05.2024. Therefore, the petitioners have filed this petition seeking bail.

2. The case of the prosecution is that due to previous enmity, on 26.05.2024, the accused have trespassed into the defacto complainant's house, assaulted her using iron rod and wooden log and caused injuries. Hence the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they are languishing in jail from 26.05.2024. Hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent submits that the accused have attacked the defacto complainant using sticks and hands. He further submits that though he has no instruction from the respondent regarding the treatment taken by the defacto complainant, it is clear from the order passed by the trial Court that the injured is still in hospital.



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5. Considering the facts and circumstances of the case, the period of incarceration and also considering that there is no specific overt act against the petitioners, this Court is inclined to grant bail to the petitioners.

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

i) on the petitioners executing 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, Aundipatti, Theni District.

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 appear before the respondent police as and when required for interrogation. They have to co-operate for the investigation.

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. They shall be available for the trial as well.



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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/-
20/06/2024

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20/06/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

To

1.The Judicial Magistrate,
Aundipatti, Theni District.

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

3.The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.

4.The Officer Incharge,
Sub Jail, Periyakulam.

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

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-6764[I] dated 20/06/2024)



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ORDER

IN

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Date :20/06/2024

ED/ /SAR- (20/06/2024) 5P / 7C

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