



CRL OP(MD). No.9186 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.9186 of 2024

1. Sakthimari, ... Petitioner/ Accused No.5

2. T.Kannan @ Elaneer Kannan, ... Petitioner/ Accused No.6

Vs

The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
Cr.No.237 of 2024.

... Respondent/ Complainant

For petitioners : M/s.Ramesh Raja.P.T.,
Advocate.

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

PRAYER :- For Bail in Crime No.237 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 04.05.2024, for the offences under Sections 394 IPC altered into 120(B), 397 r/w 34 IPC in Crime No.237 of 2024 on the file of the respondent police, seek bail.



CRL OP(MD). No.9186 of 2024

WEB COPY

2.The case was originally registered for the offence under Section 394 IPC. The defacto complainant, who is the Village Panchayat President, has lodged a complaint that on 02.05.2024, the accused 1 to 3 have entered into his house in the late night hours, attacked him and snatched away two mobile phones.

3. The respondent police arrested A1 to A7 on 03.05.2024 and found that A5 and A6 have made a conspiracy to tarnish the image of the defacto complainant. A6 has contested in the election for Panchayat President as against the defacto complainant and lost the election. With that motive, he has conspired with his friend A5 and during the Village festival they have contacted the defacto complainant through A8 and induced him to send some photographs and with that photographs, they have engaged A1 to A3, who are working in Zomato as hooligans with a promise that they would pay a sum of Rs.1,00,000/- in order to get Rs.20,00,000/- from the defacto complainant. On the alarm given by the wife of the defacto complainant, the accused persons could not complete their task. A1 to A3 left some evidence, while escaping from the scene of occurrence. With that the respondent police have secured the remaining accused and altered the offence.

4.The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that they are in jail for the past 50 days and



CRL OP(MD). No.9186 of 2024

they have also realized their mistake and they undertake that they will not indulge in any offence in future. To that effect, the petitioners are also prepared to file an undertaking affidavit before the respondent Police and also before the concerned Judicial Magistrate at the time of furnishing the sureties.

5.The learned Additional Public Prosecutor strongly opposes for grant of bail to the petitioners as the investigation in this case is yet to be completed. He further submits that the petitioners are arrayed as A5 and A6. Earlier petition filed by the petitioners was dismissed by this Court on 06.06.2024 in CrI.O.P.(MD) No.8326 of 2024. This is the second bail application.

6. Considering the undertaking given by the petitioners that they will not indulge in any offence in future and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners with some conditions.

7. Accordingly, this Petition is dismissed and the petitioners are ordered to be released on bail on the following conditions:-

- i) The petitioners shall execute 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, Tenkasi. They shall file an affidavit before the respondent police as well as before the concerned Magistrate that they will not indulge in any



CRL OP(MD). No.9186 of 2024

WEB COPY

offence.

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 report before the respondent police daily at 10.30 a.m until further orders. 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. The petitioners shall be available for the trial as well.

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/-
24/06/2024

/ TRUE COPY /

25/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.9186 of 2024

LS

TO

1 THE JUDICIAL MAGISTRATE,
TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
TENKASI POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to Mr.P.T.RAMESH RAJA, Advocate SR.No.6848

ORDER

IN

CRL OP(MD) No.9186 of 2024

Date :24/06/2024

MK/25.06.2024 5P 7C

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