



CRL OP(MD). No.9456 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2024

PRESENT

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

CRL OP(MD). No.9456 of 2024

Ramalan Khan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Mimisal Police Station,
Pudukkottai District.
(Incrime No.43/2024.)

... Respondent/Complainant

For Petitioner : M/s.Ameer Hussain.M.J., 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.43/2024 on the file of the respondent Police.



CRL OP(MD). No.9456 of 2024

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 29.04.2024 for the offences punishable under Sections 174(3) @ 147, 148, 341 and 302 IPC in crime No.43 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous motive, the petitioner herein and other accused have attacked the deceased on his back head with iron rod and stolen cash bag and and escaped from the scene of occurrence by car. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 29.04.2024, hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioner herein is Collegian and he is having one previous case. He would He would further submit that investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 29.04.2024, this Court is inclined to



CRL OP(MD). No.9456 of 2024

grant bail to the petitioner on certain conditions.

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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Manamelkudi and on further conditions that;

(i) the sureties shall affix their photographs and left thumb impression in the 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 petitioner shall stay at Thondi and report before the Inspector of Police, Town Police Station, Thondi, Ramnad District daily at 10.30 a.m., until further orders;

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

(iv) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].



CRL OP(MD). No.9456 of 2024

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
08/07/2024

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08/07/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

To

1.The Judicial Magistrate,
Manamelkudi.

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

3.The Inspector of Police,
Mimisal Police Station,
Pudukkottai District.

4.The Officer Incharge,
District Jail, Pudukkottai.

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

Copy to:

The Inspector of Police,
Town Police Station,
Thondi, Ramnad District.



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CRL OP(MD). No.9456 of 2024

ORDER
IN
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Date :08/07/2024

ED/ /SAR- (08/07/2024) 5P / 7C

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