



CRL OP(MD). No.9710 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9710 of 2024

1.Kamaraj,

2.Kannadhasan,

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Parthibanoor Police Station,
Ramanathapuram District.
Cr.No.90/2024.

... Respondent/Complainant

For Petitioner : Mr.R.Suriya.
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.90/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested on 01.06.2024, for the offence under



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Sections 294(b), 323, 324, 307 and 506(ii) of IPC, in Crime No.90 of 2024, on the file of the respondent police, seek bail.

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2. The case of the prosecution is that on 31.05.2024, when the defacto complainant's son along with his friend went out, the petitioners have scolded him and attacked the defacto complainant's son with wooden log, thereby caused injuries to him. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that on 31.05.2024, the defacto complainant's son and three others trespassed into the petitioner's house and attacked them with knife. However, the defacto complainant has lodged the present complaint contrary to the actual facts. He further 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 01.06.2024.

4. The learned Additional Public Prosecutor appearing for the respondent has raised objections that the victim has suffered a serious injury on his skull and he is not in a position to speak.



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5. In reply, the learned counsel for the petitioner disputes the same and submits that the injured has been discharged from the hospital and the submission of the learned Additional Public Prosecutor is not correct. The learned counsel further submits that in order to show his bonafide, the petitioners are prepared to pay a sum of Rs.30,000/- to the credit of Crime No.90 of 2024.

6. Considering the period of incarceration and now the petitioners have come forward to deposit a sum of Rs.30,000/- to the credit of Crime No.90 of 2024, this Court is inclined to grant bail to these petitioners.

7. Accordingly, this Criminal Original Petition is ordered 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) with two sureties each for a like sum to the satisfaction of the learned Principal Sessions Judge, Ramanathapuram.

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 and 5.00 p.m daily until further orders and also shall co-operate for investigation.

iv) The petitioners shall deposit a sum of Rs.30,000/- to the credit of Crime



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No.90 of 2024 and the same may be intimated by the respondent police to the victim.

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If the victim requires that amount for his medical expenses, he can file an application for withdrawal of the same and the trial Court shall permit the victim to withdraw the amount, so deposited by the petitioners herein. If the victim does not require the amount, it shall be decided by the trial Court either under Section 357 of Cr.P.C or under Section 452 of Cr.P.C.

v) 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.

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/-
08/07/2024

/ TRUE COPY /

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

VRN

TO

1 THE PRINCIPAL SESSIONS JUDGE,
RAMANATHAPURAM.



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2 THE INSPECTOR OF POLICE

PATHIBANOOR POLICE STATION, RAMANATHAPURAM DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, RAMANATHAPURAM.

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

+1 CC to M/s.R.SURIYA, Advocate (SR-7565[I] dated 08/07/2024)

ORDER

IN

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Date :08/07/2024

SS/SAR- /08/07/2024/5P/6C

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