



CRL OP(MD). No.9985 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.9985 of 2024

Siva Suresh,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Seethaparpanallur Police Station,
Tirunelveli District.
Cr.No.112/2024.

... Respondent/Complainant

For Petitioner : Mr.C.Venkatesh,
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.112/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody
on 14.05.2024 for the offences punishable under Sections 302, 294(b) and 506(ii) IPC



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in crime No.112 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that due to previous motive, the petitioner herein and other accused have attacked the deceased with Aruval and escaped from the scene of occurrence. 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 14.05.2024, hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the co-accused has already released on bail. He would further submit that the petitioner is having three previous cases and he is a history sheeted rowdy and the 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 14.05.2024, this Court is inclined to 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, Alangulam 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 Nanguneri and report before the Inspector of Police, Town Police Station, Nanguneri 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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-

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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,
ALANGULAM
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SEETHAPARPANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI, THIRUNELVELI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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COPY TO:

THE INSPECTOR OF POLICE,
TOWN POLICE STATION, NANGUNERI.

ORDER
IN
CRL OP(MD) No.9985 of 2024
Date :08/07/2024

SS/SAR- /08/07/2024/5P/7C

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