



CRL OP(MD). No.10358 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2024

PRESENT

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

CRL OP(MD). No.10358 of 2024

Anto Levingston @ Anto Vinstion,

... Petitioner/ Accused No.4

Vs

**The Inspector of Police,
Sipcot Police Station,
Thoothukudi
District,
Crime No.209/2023.**

... Respondent/ Complainant

For Petitioner : S.Vishnuvardhan, 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.209/2023 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

18.08.2023 for the offences punishable under Sections 147, 148, 294(b), 302, 506(ii), 120

<https://www.mhc.tn.gov.in/judis>



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(b) IPC and Section 3 of Explosive Substances Act, in crime No.209 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's husband is accused in a murder case. Due to that motive, the petitioner herein and other accused have assembled with deadly weapons and thrown bomb towards him and also attacked him with deadly weapons and thereby, caused death. 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 18.08.2023, hence, he may be granted bail.

4. The learned Additional Public Prosecutor would submit that the petitioner herein is having one previous case and the charge sheet has also been filed before the concerned Court and the co-accused already released on bail by this Court. He further contended that the offence committed by the petitioner is very serious in nature and hence, he prays for dismissal of this petition.



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5. Considering the facts and circumstances of the case and also considering the period of incarceration and that the co-accused have already been released on bail, this Court is inclined to grant bail to the petitioner on certain conditions.

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 I Additional District and Sessions Judge, Thoothukudi 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 appear before the concerned Court on each and every hearing date without fail;

(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 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/-
12/07/2024

/ TRUE COPY /

12/07/2024
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

- 1 THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE, THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT,
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.10358 of 2024
Date :12/07/2024

PKP/12.07.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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