



CRL OP(MD). No.10452 of 2024

WEB COPY

**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.10452 of 2024

Jeba Pandian @ Jebaraj,

... Petitioner/3rd Accused

Vs

The Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.
Cr.No.133/2024.

... Respondent/Complainant

For Petitioner : M/s.Balaji Nivas S, 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.133/2024 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

02.07.2024 for the offences punishable under Sections 147 ,291, 353, 283, 294(b), 149
<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.10452 of 2024

IPC Section 8(b) of NH Act and Section 3(1) of TNPPDL Act in crime No.133 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a dispute between the two community peoples, one person in a particular community was murdered by another community people. During the time of funeral procession of the said deceased, the petitioner herein and other accused assembled with deadly weapons and caused damage to the public properties. 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 02.07.2024, hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioner herein and other accused have damaged the public properties worth about Rs.5,000/- and there is no previous case pending against the petitioner. He would further submit that investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioner.



CRL OP(MD). No.10452 of 2024

WEB COPY

5. Considering the facts and circumstances of the case and also considering the period of incarceration , 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 Judicial Magistrate, Nanguneri, Thirunelveli District 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 report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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



CRL OP(MD). No.10452 of 2024

WEB COPY

(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].

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 JUDICIAL MAGISTRATE,
NANGUNERI, TIRUNELVELI DISTRICT.



CRL OP(MD). No.10452 of 2024

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

ORDER
IN

CRL OP(MD) No.10452 of 2024
Date :12/07/2024

PKP/12.07.2024/ 5P/ 6C

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