



CRL OP(MD).No.11622 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.11622 of 2024

Senthil Arasu

... Petitioner/ Accused No.2

Versus

State Rep. by
The Sub-Inspector of Police,
South Thamaraiikulam Police Station,
South Thamaraiikulam,
Kanniyakumari District.
(Cr.No.46 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Krishnan

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.46 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The respondent police registered a case as against the petitioner in Crime No.46 of 2024 for the offence under Sections 147, 148, 294(b), 324, 307 and 506(ii) of IPC and remanded him into judicial custody on 04.04.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The defacto complainant is a practicing Advocate. There is a civil dispute between the petitioner and the defacto complainant. The defacto complainant filed a civil suit and obtained a decree as against the petitioner and also got it executed through the execution Court. While executing the decree, the petitioner along with other accused is said to have assaulted the defacto complainant brutally and thereby, he suffered serious injury. Hence, the case.

3. The learned Counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 04.04.2024. Further, he submits that the investigation has already been completed and a final report has also been filed before the concerned Court on 22.07.2024.



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4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that considering the the manner in which the occurrence had taken place and also considering the condition of the victim, this Court had dismissed the earlier application by order dated 12.06.2024. Further, he submits that the investigation has already been completed and a final report has been filed before the concerned Court on 22.07.2024.

5. Considering the period of incarceration and also considering the stage of investigation that the final report has already been filed, this Court is inclined to grant bail to the petitioner and the trial Court is directed to take the final report on file and to conclude the trial as expeditiously as possible.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

- i) on the petitioner executing 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 Judicial Magistrate No.III, Nagercoil,



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Kanniyakumari District.

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ii) The petitioner 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 petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders . He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
26/07/2024

/ TRUE COPY /

26/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1.The Judicial Magistrate No.III,
Nagercoil, Kanniyakumari District.
2. -do through The Chief Judicial Magistrate,
Kanniyakumari District at Nagercoil.
- 3.The Superintendent,
District Prison,Nagercoil.
4. The Sub-Inspector of Police,
South Thamaraikulam Police Station,
South Thamaraikulam,
Kanniyakumari District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.KRISHNAN, Advocate (SR-8795[I] dated 29/07/2024)

ORDER

IN

CRL OP(MD) No.11622 of 2024

Date :26/07/2024

RD(26/07/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.