



CRL OP(MD). No.10553 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/07/2024

PRESENT

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

CRL OP(MD). No.10553 of 2024

Balamurugan,

... Petitioner/ Accused No.8

Vs

The Inspector of Police,
Kadupatty Police Station,
Madurai District,
Crime No.74/2024.

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian,
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.74/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A8, who was arrested and remanded to judicial custody on



CRL OP(MD). No.10553 of 2024

17.06.2024 for the offences punishable under Sections 399, 402 of IPC and Section 25 (1B)(a) of Arms Act, 1959, in Crime No.74 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 17.06.2024, at about 01.00 p.m, when the defacto complainant and his team were on patrol duty, they found that the petitioner along with other accused persons with arms in order to take revenge for their friend's murder. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that no previous case is pending against the petitioner and the petitioner is in judicial custody from 17.06.2024. Hence, he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary state. But, however, he fairly conceded that no previous case is pending against the petitioner.

5.Considering the period of incarceration and also considering the fact that no



CRL OP(MD). No.10553 of 2024

bad antecedent is reported against the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

WEB COPY

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, Vadipatti.

(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 trial Court daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(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



CRL OP(MD). No.10553 of 2024

WEB COPY

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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
16/07/2024

/ TRUE COPY /

16/07/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

1 THE JUDICIAL MAGISTRATE
VADIPATTI MADURAI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, THENI..

4 THE INSPECTOR OF POLICE
KADUPATTY POLICE STATION,
MADURAI DISTRICT,



CRL OP(MD). No.10553 of 2024

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

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-7964[I] dated
16/07/2024)

ORDER
IN

CRL OP(MD) No.10553 of 2024
Date :16/07/2024

SS/SAR- /16/07/2024/5P/7C

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