



CRL OP(MD). No.10627 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/07/2024

PRESENT

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

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Arun @ Arunkumar

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Kulithalai Police Station,
Karur District.
(Crime No 457/2024.)

... Respondent/Complainant

For Petitioner : M.Karunanithi, 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. 457 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 petitioner/A2, who was arrested and remanded to judicial custody on 03.07.2024 for the offences punishable under Sections 232 and 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.457 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused are facing criminal trial for murdering the brother of the defacto complainant in S.C.No.5 of 2024 on the file of the learned Principal Sessions Judge, Karur. The petitioner and the other accused have threatened the material witnesses in the above said sessions case to view false evidence and also criminally intimidated them. 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 the petitioner is in judicial custody from 03.07.2024. Hence, he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage and the petitioner is having 1 previous case. Hence, he vehemently, opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the



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conditions.

period of incarceration, this Court is inclined to grant bail to the petitioner on certain

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 No.II, Kulithalai.

(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 twice a day daily at 10.30 a.m and 05.30 p.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 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].



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

sd/-
16/07/2024

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

DSS

To

1.The Judicial Magistrate No.II,
Kulithalai.

2.Do through the Chief Judicial Magistrate,
Karur District.

3.The Inspector of Police,
Kulithalai Police Station,
Karur District.

4.The Officer Incharge,
Sub Jail, Kulithalai,
Karur District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-8001[I] dated 16/07/2024)



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ORDER

IN

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Date :16/07/2024

ED/ /SAR- (16/07/2024) 5P / 7C

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