



CRL OP(MD). No.10620 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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1. Jeyakumar @ Chellaiah,

2. Ramki,

3. Jeyaram,

... Petitioners/ Accused Nos.1,6 & 5

Vs

The Inspector of Police,
Keela Paralachi Police Station,
Virudhunagar District.
Crime No.39/2024.

... Respondent/Complainant

For Petitioners : M/s.Dharani.A,
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.39/2024 on the file of the respondent police



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ORDER: The Court made the following order :-

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The petitioners/A1, A6 & A5, who were arrested and remanded to judicial custody on 22.06.2024 for the offences punishable under Sections 147, 294(b), 323, 324, 506(2) and 109 of IPC in Crime No.39 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are belong to the same village. Due to previous enmity, the petitioners abused the defacto complainant in filthy language and attacked him with wooden logs and caused injuries. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that it is a case and case in counter and the injured was discharged from the hospital. Further, the petitioners are in judicial custody from 22.06.2024 and hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the



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investigation is in preliminary stage and the first petitioner is having 2 previous cases and the petitioners 2 & 3 are having 1 previous case. But, however, he fairly conceded that it is a case and case in counter and the injured was discharged from the hospital.

5.Considering the period of incarceration and also considering the fact that it is a case and case in counter and the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioners on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Judicial Magistrate Court, Aruppukottai, Virudhunagar District.

(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 petitioners shall report before the concerned trial Court on all working days daily at 10.30 a.m., for a period of three weeks and thereafter, as and when



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required for interrogation;

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

iv)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

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16/07/2024

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

DSS



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TO
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- 1 THE JUDICIAL MAGISTRATE
ARUPPUKOTTAI, VIRUDHUNAGAR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE OFFICER INCHARGE,
SUB JAIL, ARUPPUKOTTAI..
- 4 THE INSPECTOR OF POLICE
KEELA PARALACHI POLICE STATION,
VIRUDHUNAGAR DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.DHARANI, Advocate (SR-7967[I] dated 16/07/2024)

ORDER
IN

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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