



CRL OP(MD). No.10872 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

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

CRL OP(MD). No.10872 of 2024

Gurumani,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Devakottai Town Station,
Sivagangai District,
Crime No.129/2024.

... Respondent/Complainant

For Petitioner : M/s. T. Joshua,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023 U/s 439 of Cr.P.C.

PRAYER :- For Bail in Crime No.129/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 28.06.2024 for the offences punishable under Sections 341, 342, 294(b), 323 and 506(i) of IPC, in Crime No.129 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with others waylaid

the defacto complainant and abused him in filthy language and attacked him by

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.10872 of 2024

their hands and legs. Hence, the case.

WEB COPY

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 28.06.2024, 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 10 previous cases. Hence, he vehemently, opposed to grant bail to the petitioner.

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, Devakottai, Sivagangai 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 petitioner shall report before the Aranthangi Police Station daily at 10.30



CRL OP(MD). No.10872 of 2024

a.m., for a period of three weeks and thereafter, as and when required for
WEB COPY
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 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.

7. The Additional Mahila Court, Sivagangai, is directed to complete the trial in P.R.C.No.97 of 2023 within a period of two months from the date of receipt of a copy of this order.

sd/-
19/07/2024

/ TRUE COPY /

19/07/2024
Sub-Assistant Registrar (A.D.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.10872 of 2024

WEB COPY

DSS

TO

1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, RAMANATHAPURAM.

4 THE INSPECTOR OF POLICE,
DEVAKOTTAI TOWN STATION,
SIVAGANGAI DISTRICT.

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

COPY TO:

1 THE ADDITIONAL MAHILA COURT,
SIVAGANGAI

2 THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
ARANTHANGI.

+1 CC to M/s.T.JOSHUA, Advocate (SR-8118[I] dated 19/07/2024)



WEB COPY



CRL OP(MD). No.10872 of 2024

ORDER
IN
CRL OP(MD) No.10872 of 2024
Date :19/07/2024

SA/SAR. /19.07.2024/5P/9C

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