



CRL OP(MD). No.10902 of 2024

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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.10902 of 2024

1. Packia Ranjith

2. Thirukumar

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.
Crime No. 172/2024

... Respondent/Complainant

For Petitioners : Mr.A.Balaji, Advocate.

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

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

PRAYER :-

For Bail in Crime No. 172 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who were arrested and remanded to judicial custody on 04.07.2024 for the offence punishable under Section 309(5) of Bharatiya Nyaya Sanhita, in Crime No.172 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioner along with other accused have attempted to commit robbery. On seeing the police party, they escaped from the scene of occurrence. Hence, the case.



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3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as mentioned in the FIR and they are in judicial custody from 04.07.2024 and hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage. The first petitioner is having 16 previous cases and the second petitioner is having 5 previous cases. Further, Goondas proposal is also under consideration. 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 petitioners with 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 learned Judicial Magistrate, Karaikudi.

(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 Thondi Police Station daily at 10.30 a.m., until further orders;



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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/-
19/07/2024

/ TRUE COPY /

22/07/2024

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

DSS
TO

1 THE JUDICIAL MAGISTRATE, KARAIKUDI.

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

3 THE OFFICER INCHARGE, DISTRICT PRISON, RAMANATHAPURAM.

4 THE INSPECTOR OF POLICE, KARAIKUDI SOUTH POLICE STATION,
SIVAGANGAI DISTRICT.



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

+1 CC to M/s.A.BALAJI, Advocate (SR-8147[I] dated 19/07/2024)

ORDER

IN

CRL OP(MD) No.10902 of 2024

Date :19/07/2024

RS//SAR-(22.07.2024) 4P 7C

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