



CRL OP(MD). No.11079 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

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

CRL OP(MD). No.11079 of 2024

Ansar Ali @ Ansari,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thanjavur Tmch Police Station,
Thanjavur District,
Crime No.152/2024.

... Respondent/Complainant

For Petitioner : Mr.K. M.Karunakaran,
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.152/2024 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



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07.05.2024 for the offence punishable under Section 302 of IPC, in Crime No.152 of

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2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous motive between the parties, the petitioner said to have abused the deceased, who is the brother of the defacto complainant and assaulted the deceased and thereafter, he died. Hence, the complaint.

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 co-accused (A2) was already released on bail by this Court in Crl.OP (MD)No.10908 of 2024 on 19.07.2024 and petitioner is in judicial custody from 07.05.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that totally three accused are involved in this case and the petitioner is arrayed as A1. The investigation is yet to be completed. However, he fairly conceded that the co-accused (A2) was already released on bail by this Court.



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5.Considering the facts period of incarceration and also considering the fact that the co-accused was already released on bail by this Court, 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 No.2, Thanjavur.

(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 daily at 10.30 a.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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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/-
22/07/2024

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22/07/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE II
THANJAVUR

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
CENTRAL PRISION, TRICHY.

4 THE INSPECTOR OF POLICE
THANJAVUR TMCH POLICE STATION,
THANJAVUR DISTRICT

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



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+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-8245[I] dated 22/07/2024)

ORDER
IN
CRL OP(MD) No.11079 of 2024
Date :22/07/2024

SS/SAR- /22/07/2024/5P/7C

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