



CRL OP(MD)No.11212 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.07.2024

PRESENT

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

CRL OP(MD)No.11212 of 2024

1.Karthick @ Kutlu

2.Dhanabal

3.Marimuthu

4.Hariharan

... Petitioners/ Accused No.2 to 5

Vs

The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(Crime No.256 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.A.Mohan, Advocate

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.



CRL OP(MD)No.11212 of 2024

PRAYER :-
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For Bail in Cr No.256 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 01.07.2024 for the offence punishable under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) IPC in Cr.No.256 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity, the accused persons abused the defacto complainant in filthy language and also assaulted him with aruval and caused injuries. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 16.07.2024 and this Court granted anticipatory bail to the co-accused in this case and hence, the petitioners may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation

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CRL OP(MD)No.11212 of 2024

is yet to be completed. Further, he submits that A2 is having nine previous cases, A4 is having one previous case and A5 is having four previous cases.

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 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 learned Judicial Magistrate, Karaikudi.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/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 respondent police daily at 10.30 a.m, for a period of four weeks and thereafter as and when required for interrogation;

[iii] the petitioners shall not tamper with evidence or witness;



CRL OP(MD)No.11212 of 2024

[iv] the petitioners shall not abscond during trial.

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[v] On breach of any of the aforesaid conditions, the learned Judicial 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].

[vii] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
23/07/2024

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23/07/2024
Sub-Assistant Registrar (LIASONING)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns

TO

1.THE JUDICIAL MAGISTRATE, KARAIKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

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CRL OP(MD)No.11212 of 2024

3.THE SUPERINTENDENT,
CENTRAL PRISON,
COIMBATORE.

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

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

ORDER
IN
CRL OP(MD) No.11212 of 2024
Date :23/07/2024

RK (23/07/2024) 5P / 6C

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