



CRL OP(MD)No.11230 of 2024

WEB COPY

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.11230 of 2024

1.Santhanakumar

2.Santhosh

... Petitioners/ Accused Nos. 2 & 6

Vs

**The Inspector of Police,
Shenkottai Police Station,
Shenkottai,
Tenkasi District.
(Crime No.133 of 2024)**

... Respondent/Complainant

For Petitioners : Mr.N.Pragalathan,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.

PRAYER :-

For Bail in Cr No.133 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 30.04.2024 for the offence punishable under Sections 147, 148, 452, 294(b), 324, 307, 427 and 506 (ii) IPC in Cr.No.133 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that there is a previous enmity between the parties, due to which, the accused persons attacked the defacot complainant with sickle and damaged the two wheeler. 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 30.04.2024, hence they may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed and the first petitioner is having six previous cases and the second petitioner is having nine previous cases. Further, he would submit that the injured person has already been discharged from the hospital.

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5. Considering the period of incarceration and also considering the fact that the injured person has already been 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 learned Judicial Magistrate, Shenkottai, Tenkasi District.

[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;

[iv] the petitioners shall not abscond during trial.

[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].

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[vii] If the accused thereafter abscond, a fresh FIR can be registered under

Section 229A IPC.

sd/-
23/07/2024

/ TRUE COPY /

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

GNS
TO

- 1 THE JUDICIAL MAGISTRATE,
SENKOTTAI, TENKASI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SHENKOTTAI POLICE STATION,
SHENKOTTAI,
TENKASI DISTRICT,
- 4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-8341[I] dated 23/07/2024)

ORDER
IN

CRL OP(MD) No.11230 of 2024

Date :23/07/2024

PKP/23.07.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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