



CRL OP(MD). No.11288 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

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

CRL OP(MD). No.11288 of 2024

1. Ajithkumar,

2. Santhosh Kannan,

... Petitioners/ Accused NO.2

Vs

The Inspector of Police,
Manamadurai Police Station,
Sivagangai District
Crime No.272/2024.

... Respondent/ Complainant

For Petitioner : Mr.R.Senthilkumar,
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 Crime No.272/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested and remanded to judicial custody

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on 13.06.2024 for the offences punishable under Sections 392, 397 and 25(1A) of Arms

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Act, in crime No. 272 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners said to have committed a robbery of Rs.500/- from the defacto complainant and also attacked him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and they are in judicial custody from 13.06.2024. Hence, he prays for grant of bail to the petitioners .

4.The learned Additional Public prosecutor would submit that the petitioners are arrayed as A1 and A2. A1 is having 10 previous cases and A2 is having 18 previous cases and the injured was treated as out patient. The investigation is pending and he strongly opposed to grant bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and the fact that the injured was treated as out patient, this Court is inclined to grant bail to the petitioners on certain conditions.



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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, Manamadurai.

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

(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

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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] and

(vi)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A 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.

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TO

1. THE JUDICIAL MAGISTRATE, MANAMADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.
- 3.THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT
- 4.THE OFFICER IN CHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.



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

ORDER
IN
CRL OP(MD) No.11288 of 2024
Date :23/07/2024

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

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