



CRL OP(MD)No.11513 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 25.07.2024

PRESENT

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

CRL OP(MD)No.11513 of 2024

1.Karthi

2.Ajithkumar

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,  
Periyakulam Police Station,  
Theni District.  
(Crime No.97 of 2024)

... Respondent/complainant

For Petitioners : Mr.K.Chengizkhan, 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.97 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



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07.05.2024 for the offence punishable under Sections 294(b), 342, 302 and 506(ii) IPC  
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r/w Section 34 IPC in Cr.No.97 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that there was a dispute between the parties in the funeral of the defacto complainant's brother. Due to which, the accused assaulted the defacto complainant. 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 co-accused released on bail by this Court, hence they may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed. However, he fairly conceded that no previous case is pending against the petitioners.

5.Considering the period of incarceration and also considering the fact that no bad antecedent is reported against the petitioners, this Court is inclined to grant bail to the petitioners on certain conditions.



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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, Periyakulam.

[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, 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 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



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released on bail by the learned Magistrate/Trial Court himself as laid down by the  
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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/-  
25/07/2024

/ TRUE COPY /

26/07/2024  
Sub-Assistant Registrar (CS-I/ II/ III/ IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

gns

TO

1.THE JUDICIAL MAGISTRATE, PERIYAKULAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THENI.

3.THE OFFICER IN CHARGE,  
DISTRICT JAIL,  
THEKKAMPATTI,  
THENI.

4.THE INSPECTOR OF POLICE,  
PERIYAKULAM POLICE STATION,  
THENI DISTRICT.



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

+1 CC to M/s.K.CHENGIZKHAN, Advocate ( SR-8588[I] dated 25/07/2024 )

ORDER  
IN  
CRL OP(MD) No.11513 of 2024  
Date :25/07/2024

RK (26/07/2024) 5P / 7C

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