



CRL OP(MD). No.11429 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2024

PRESENT

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

CRL OP(MD). No.11429 of 2024

1. M.Venkatachalam,

2. P.Sheik Mohammed,

... Petitioners/ Accused(Rank Not Known)

Vs

The Inspector of Police,
Pazhavor Police Station
Tirunelveli
District.
Crime No.151/2024.

... Respondent/ Complainant

For Petitioners : J.Padhmaavathi Devi,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

C-24B For Bail in Crime no.151/2024 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioners/ Accused, who were arrested and remanded to judicial custody on 19.07.2024 for the offences punishable under Section 420 IPC in crime No.151 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant has handed over the car to one accused Ramesh for hiring L & T company, but, the said Ramesh has handed over the car to one Manikandan, without knowing the defacto complainant and he has also not paid hiring charges for the past two months. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been false implicated in this case. He would further submit that the petitioners are in judicial custody from 19.07.2024, hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that 2 vehicles have been recovered and previous case is pending against the petitioners in similar nature. He would further submit that the investigation of the case is pending.

5.Considering the submissions made by the learned counsel on either side and that two vehicles are recovered and also considering the period of incarceration,

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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, Valliyoor, and on further conditions that;

(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 appear before the respondent police daily at 10.30 am 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
01/08/2024

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01/08/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

1. Judicial Magistrate,
Valliyoor.

2. Do-Through:
The Chief Judicial Magistrate,
Thirunelveli District.

3. The Superintendent,
Sub Jail,
Nanguneri.

4. The Inspector of Police,
Pazhavor Police Station
Tirunelveli District.
Crime No.151/2024.

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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.J.PADHMAVATHI DEVI, Advocate (SR-9186[I] dated 01/08/2024)

ORDER
IN
CRL OP(MD) No.11429 of 2024
Date : 01/08/2024

SL(01.08.2024)/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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