



Crl.O.P.(MD)Nos.11465 & 11549 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.O.P.(MD)Nos.11465 & 11549 of 2024

Sakthivel

... Petitioner/ Accused Rank Not Known
in Crl.O.P.(MD)No.11465 of 2024

1.Arun

... 1st Petitioner/ Accused 1
in Crl.O.P.(MD)No.11549 of 2024

2.Sathiyaseelan

... 2nd Petitioner/ Accused Rank Not Known
in Crl.O.P.(MD)No.11549 of 2024

Vs

The Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.
(Crime No.434 of 2024)

... Respondent in both Crl.O.Ps.

For Petitioners : Mr.R.Maheswaran
(in both Crl.O.Ps.)

For Respondent : Mr.R.M.Anbunithi,
(in both Crl.O.Ps.) Additional Public Prosecutor.



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

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PRAYER :- For Bail in Cr No.434 of 2024 on the file of the respondent Police.
COMMON ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 20.05.2024 for the offence punishable under Sections 109, 120(B), 302, 307, 341, 449 IPC in Cr.No.434 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the daughter of the defacto complainant married A1 against his wishes and hence, there is an enmity between them. Due to which, the accused persons 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 petitioners are in judicial custody from 20.07.2024, hence they may be released on bail.

4.The learned Additional Public Prosecutor opposed to grant bail on the ground that one person died in the occurrence and one person sustained injuries.

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



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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 No.I, Thanjavur.

[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 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

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229A IPC.

sd/-
25/07/2024

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

GNS

TO

1 THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKOTTAI.

5 THE INSPECTOR OF POLICE,
THANJAVUR TOWN WEST POLICE STATION,
THANJAVUR DISTRICT.

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



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ORDER
IN
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Date :25/07/2024

SA/SAR. /26.07.2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.