



CRL OP(MD). No.11539 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

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1. Pankajkumar,
S/o.Pandian,
Sundrapandiyan Nagar,
Birunthavanam,Kalimedu-Post,
Thanjavur Taluk,
Thanjavur District..

2. Muthukumar,
S/o.Pandian,
Sundrapandiyan Nagar,
Birunthavanam,Kalimedu-Post,
Thanjavur Taluk,
Thanjavur District.

... Petitioners/ Accused No.1 & 3

Vs

The Inspector of Police,
Town West Police Station,
Thanjavur District.
Cr.No.493 of 2024.

... Respondent/Complainant

For Petitioners

: Mr.R.Ilayaraja,
Advocate.

For Respondent

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



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

PRAYER :- For Bail in Crime No.493 of 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 on 22.06.2024 for the offences punishable under Section 399 I.P.C and Section 25(1)(a) of Arms Act, 1959, in crime No.493 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners and other accused were marking preparation to commit dacoity. 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 they have been false implicated in this case. He would further submit that the petitioners are in judicial custody from 22.06.2024, hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that totally five accused and the petitioners are arrayed as A1 and A3 and A1 is having two previous and A2 is having four previous cases and the investigation of the case is pending and hence, strongly opposed to grant bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the



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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 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 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 for a period of three 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 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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vi) If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-
25/07/2024

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25/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. The Judicial Magistrate No.I,
Thanjavur.
2. Do through:
The Chief Judicial Magistrate,
Thanjavur.
3. The Superintendent,
District Prison,
Pudukottai.
4. The Inspector of Police,
Town West Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,

<https://www.mhc.tn.gov.in/judis>



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Madurai.

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-8561[I] dated 25/07/2024)

ORDER
IN
CRL OP(MD) No.11539 of 2024
Date : 25/07/2024

SL(25.07.2024)/ 5P/ 7C

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