



CRL OP(MD). No.11683 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26/07/2024

PRESENT

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

CRL OP(MD). No.11683 of 2024

Selvakumar

... Petitioner/ Accused No.4

Vs

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

.. Respondent/ Complainant

For Petitioner : Mr.K.Yasar Arafath,  
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.493 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on

22.06.2024 for the offences punishable under Section 399 of IPC and Section 25(1)(a)

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



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of Arms Act, in Crime No.493 of 2024 on the file of the respondent police, seek bail.

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2.The case of the prosecution is that on secret information, on 22.06.2024, the defacto complainant and his team went to the spot and found that the petitioner and the other accused were found in possession of abnormal size of lethal weapons. On enquiry, they came to know that they have made preparation to commit dacoity. Hence, the complaint.

3.The learned counsel for the petitioner the petitioner is innocent and he has not committed any offence as mentioned in the FIR. He would further submit that already the co-accused (A1 & A3) were released on bail by this Court in CrI.OP(MD) No.11539 of 2024 on 25.07.2024 and the petitioner is in judicial custody from 03.07.2024 and hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage and the petitioner is having 1 previous case. But, however, he fairly conceded that the co-accused (A1 & A3) were released on bail by this Court.

5.Considering the period of incarceration and also considering the fact that the



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co-accused were released on bail by this Court, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate-I, Thanjavur.

(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 petitioner 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 petitioner shall not tamper with evidence or witness;

iv) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-  
26/07/2024

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26/07/2024  
Sub-Assistant Registrar (PA-I / AD-I )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

dss

TO

1. The Judicial Magistrate-I, Thanjavur..
2. Do-Through The Chief Judicial Magistrate,  
Thanjore District @ Kumbakonam
3. The Officer in charge, District Jail, Pudukottai..
4. The Inspector of Police,  
Town West Police Station,  
Thanjavur District.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER  
IN  
CRL OP(MD) No.11683 of 2024  
Date :26/07/2024



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