



CRL OP(MD). No.11757 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.11757 of 2024

1. M.Pandiyaraja,

2. A.Nambidurai,

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Pettai Police Station,
Tirunelveli District,
Crime No.365/2023.

... Respondent/ Complainant

For Petitioners : Mr.T.Sugadev,
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 :-

To release the petitioners/accused no.1 and 2 on bail in SC No.171/2024 on the file of learned IV Additional District Judge, Tirunelveli

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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 25.07.2023 for the offences punishable under Sections 302 and 506(2) IPC in crime No.365 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners herein have waylaid the deceased and attacked him with Aruval and caused death injuries. 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 25.07.2023, hence they may be granted bail.

4.The learned Additional Public Prosecutor would submit A1 is not having any previous case and the A2 is having 5 previous case and the charge sheet has already been filed before the concerned Court.

5.Considering the submissions made by the learned counsel on either side and

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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 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 IV Additional District Judge, Tirunelveli.

(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 concerned Court on each and every hearing date without fail;

(iii) the petitioners shall not tamper with evidence or witness;

iv) the petitioners shall not abscond during trial.



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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].

vi)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
26/07/2024

/ TRUE COPY /

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

TRP

TO

1. THE IV ADDITIONAL DISTRICT JUDGE, TIRUNELVELI
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
3. THE OFFICER IN CHARGE, DISTRICT PRISON,
NAGERCOIL, KANYAKUMARI DISTRICT.
4. THE INSPECTOR OF POLICE,
PETTAI POLICE STATION,
TIRUNELVELI DISTRICT,



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

ORDER
IN
CRL OP(MD) No.11757 of 2024
Date :26/07/2024

RK (26/07/2024) 5P / 6C

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