



CRL OP(MD). No.12037 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2024

PRESENT

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

CRL OP(MD). No.12037 of 2024

1. Rajini @ Murugesan

2. Marimuthu ... Petitioners/ Accused Nos.1&2

Vs

The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.

Crime No. 149/2024. ... Respondent/Complainant

For Petitioner : M/s.A.Banumathy,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 149 of 2024 on the file of the respondent police.



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WJMSOPH
ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who were arrested and remanded to judicial custody on 06.06.2024 for the offences punishable under Sections 294(b), 324, 506(i) of IPC @ 302 of IPC in Crime No.149 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to land dispute, the petitioners along with other accused, abused the father of the defacto complainant in filthy language and attacked him with wooden log. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as mentioned in the FIR. He would further submit that the petitioners are in judicial custody from 06.06.2024 and hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage. Hence, he vehemently, opposed to grant bail to the petitioner.

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

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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 No.I, Viralimalai, Pudukkottai District.

(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 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 Magistrate/Trial

Court is entitled to take appropriate action against the petitioners in accordance

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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 abscond, a fresh FIR can be registered under Section 229A IPC.

Sd/-
30/07/2024

/ TRUE COPY /

30/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate No.I,
Viralimalai, Pudukkottai District..
2. Do-Through The Chief Judicial Magistrate,
Pudukkottai District.
3. The Officer In-Charge, Sub Jail,
Pudukkottai.
4. The Inspector of Police,
Viralimalai Police Station, Pudukkottai District.

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

+1 CC to M/s.A.BANUMATHY, Advocate (SR-8927[I] dated 30/07/2024)

ORDER
IN
CRL OP(MD) No.12037 of 2024
Date : 30/07/2024

RD(30/07/2024) 5P / 7C

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