



CRL OP(MD). No.12253 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

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

CRL OP(MD). No.12253 of 2024

Selvakumar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kallaperambur Police Station,
Kallaperambur,
Tanjore.
Crime No.128/2024..

... Respondent/Complainant

For Petitioner : Mr.R. Vignesh,
Advocate.

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

PRAYER :- For Bail in Crime No. 128 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 21.06.2024 for the offences punishable under Sections 294(b) I.P.C and Section 25 (1A) of Arms Act, in crime No.128 of 2024 on the file of the respondent police, seeks bail.



CRL OP(MD). No.12253 of 2024

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2.The case of the prosecution is that on 21.06.2024, at about 7.42 a.m, the petitioner is holding sword and threatened the general public as if he is rowdy in that locality. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 21.06.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is having six previous case and the investigation is yet to be completed. Hence, he strongly opposed to grant bail.

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 petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is



CRL OP(MD). No.12253 of 2024

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 learned Judicial Magistrate No.II, Tanjore.

(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 report before the respondent police daily at 10.30 a.m.,for a period of four 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].



CRL OP(MD). No.12253 of 2024

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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
31/07/2024

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01/08/2024
Sub-Assistant Registrar()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
THANJAVUR.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
 - 3 THE INSPECTOR OF POLICE
KALLAPERAMBUR POLICE STATION,
KALAPERAMBUR,
TANJORE.
 - 4 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.VIGNESH, Advocate (SR-9063[I] dated 31/07/2024)



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CRL OP(MD). No.12253 of 2024

ORDER
IN
CRL OP(MD) No.12253 of 2024
Date :31/07/2024

SS/SAR- /01/08/2024/5P/7C

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