



CRL OP(MD). No.12332 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01/08/2024

PRESENT

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

CRL OP(MD). No.12332 of 2024

Arulmozhivarman @ Arul,

... Petitioner/1st Accused

Vs

The Inspector of Police,
Thirunagar Police Station,
Madurai City.
Crime No.386 of 2024..

... Respondent/Complainant

For Petitioner : P.Suresh,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime no.386 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1, who was arrested and remanded to judicial custody on

27.07.2024 for the offences punishable under Sections 296(b), 115(2), 118(1) and 351

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



CRL OP(MD). No.12332 of 2024

(3) of BNS Act (As per old Section 294(b), 323, 324 and Section 506(ii) of IPC) and Section 3(1) of TNPPDL Act, in crime No.386 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioners along with other accused, abused the defacto complainant in filthy language and attacked him. Further, they damaged the two wheeler of the defacto complainant's brother's owner. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as mentioned in the FIR. He would further submit that it is a case and case in counter and the co-accused were already released on anticipatory bail by this Court and the petitioner is in judicial custody from 27.07.2024 and hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage. But, however, he fairly conceded that it is a case and case in counter and the co-accused were already released on anticipatory bail by this Court.

5.Considering the period of incarceration and also considering the facts that it is a case and case in counter and the co-accused were already released on anticipatory bail by this Court, this Court is inclined to grant bail to the petitioner on



CRL OP(MD). No.12332 of 2024

certain conditions.

WEB COPY

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 No.VI, Madurai.

(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 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].



CRL OP(MD). No.12332 of 2024

WEB COPY

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

sd/-
01/08/2024

/ TRUE COPY /

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

DSS

TO

1. The Judicial Magistrate No.VI,
Madurai..
2. Do-Through:
The Chief Judicial Magistrate,
Madurai District.
3. The Superintendent,
Sub Jail,
Thirumangalam..
4. The Inspector of Police,
Thirunagar Police Station,
Madurai City.



CRL OP(MD). No.12332 of 2024

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

+1 CC to M/s.P.SURESH, Advocate (SR-9221[I] dated 01/08/2024)

ORDER
IN
CRL OP(MD) No.12332 of 2024
Date : 01/08/2024

SL(01.08.2024)/ 5P/ 7C

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