



CRL OP(MD). No.12393 of 2024

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

Date : 01/08/2024

PRESENT

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

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Ruban @ Rooban,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
Crime No.303 of 2024..

... Respondent/ Complainant

For Petitioner : A.R.Kannappan,
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.303 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 02.06.2024 for the offences punishable under Sections 294(b), 285, 323, 324, 506(ii) of

IPC r/w Section 3 of TNPPDL Act, in crime No.303 of 2024 on the file of the

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respondent police, seeks bail.

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2.The case of the prosecution is that the defacto complainant is the Manager of the Petrol Bunk. The petitioner and the other accused came to the Petrol Bunk and enquired about the regular collection. When the same was refused, they abused the defacto complainant in filthy language and attacked him and the labours of the Petrol Bunk. Further, they caused damaged to the fire cylinders, petrol flowing pumps, mobile phones of the labourers, swipe machine and other things worth about Rs.12,32,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocents and he has not committed any offence as mentioned in the FIR. He would further submit that the petitioner is in judicial custody from 02.06.2024 and hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the injured was discharged from the hospital. But, however, the investigation is in preliminary stage and the petitioner is having 7 previous cases. Apart from that, the accused persons caused damaged to the tune of Rs.12,32,000/-. Hence, he strongly, opposed to grant bail to the petitioner.

5.Considering the period of incarceration and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant bail to the



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petitioner on certain conditions.

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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 learned Judicial Magistrate No.II, Ramanathapuram.

(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 deposit a sum of Rs.40,000/- (Rupees Forty Thousand Only) to the credit of Crime No.303 of 2024 without prejudice to his right before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(iii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iv) the petitioner shall not tamper with evidence or witness;

v) the petitioner shall not abscond during trial.

vi) 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



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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].

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

sd/-
01/08/2024

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

DSS

TO

1. The Judicial Magistrate No.II,
Ramanathapuram..
2. Do-Through:
The Chief Judicial Magistrate,
Ramanathapuram District.
- 3.The Superintendent,
District Jail,
Ramanathapuram..
4. The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.

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

ORDER
IN
CRL OP(MD) No.12393 of 2024
Date : 01/08/2024

SL(01.08.2024)/ 5P/ 6C

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