



CRL OP(MD)No.12618 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.08.2024

PRESENT

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

CRL OP(MD)No.12618 of 2024

1.Mohanraj
2.Esakkiraj

... Petitioners/ Accused No.1 & A2

Vs

The Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No.472 of 2024)

... Respondent/Complainant

For Petitioners : Mr.P.Veerapandi, 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 :-

For Bail in Cr No.472 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 28.06.2024 for the offence punishable under Sections 294(b), 397 and 506(ii) of IPC in Cr.No.472 of 2024 on the file of the respondent police, seek bail.



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2.The case of the prosecution is that the accused persons demanded money from the defacto complainant by showing aruval and they have extorted a sum of Rs.500/- from him.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 28.06.2024, hence they may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed and the petitioners are having one previous case.

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 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 Judicial Magistrate No.5, Tirunelveli, Tirunelveli District.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/concerned Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.



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[ii] The petitioners shall report before the respondent police daily at 10.30 a.m, for a period of four weeks and thereafter, as and when required;

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

sd/-

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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns
TO

1 THE JUDICIAL MAGISTRATE NO.5, TIRUNELVELI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, MANUR POLICE STATION,
TIRUNELVELI DISTRICT.

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



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4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.P.VEERAPANDI, Advocate (SR-9335[I] dated 02/08/2024)

ORDER
IN

CRL OP(MD) No.12618 of 2024

Date :02/08/2024

RS//SAR-(02.08.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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