



CRL OP(MD)No.18637 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18637 of 2024

Sebastinraj @ Bendu

... Petitioner/Sole Accused

Vs

State rep by
The Inspector of Police,
Kallaperambur Polcie Station,
Thanjavur District.
Crime No.226/2024.

... Respondent/Complainant

For Petitioner : Mr.Dhilipan Pandian.R.L,
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.226/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner/ Accused, who is arrested and remanded to judicial custody on 28.09.2024 for the offence punishable under Section 296(b) of BNS 2023 r/w Section 25(1-A) of the Indian Arms Act,1959, in Crime No.226 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 28.09.2024, the petitioner is said to have wielded weapons and created nuisance in the public place. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of occurrence in this case that the petitioner is said to be have been wielding the weapon and threatening the public, when the police party arrived at the scene, and considering the fact that the petitioner is imprisoned from 28.09.2024, I am inclined to enlarge the petitioner on bail with certain conditions.



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5. 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, Court No.II, Thanjavur, Thanjavur 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 petitioner shall stay at Sivagangai and report before the Inspector of Police, Kalaiyarkoil Police Station, Sivagangai, daily at 10.30 a.m., for a period of 10 days and thereafter, as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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]**.



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

sd/-
28/10/2024

/ TRUE COPY /

28/10/2024

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

PAL

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
THANJAVUR, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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COPY TO:

THE INSPECTOR OF POLICE
KALAIYARKOIL POLICE STATION, SIVAGANGAI.

ORDER

IN

CRL OP(MD) No.18637 of 2024

Date :28/10/2024

SS/SAR- /28/10/2024/ 5P/7C

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