



CRL OP(MD). No.23485 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.23485 of 2023

G.Ajith @ Kalugu Mandaiyan,

... Petitioner/Sole Accused

Vs

State represented by
The Inspector of Police,
Tamil University Police Station,
Thanjavur District,
Crime No.487/2023.

... Respondent/Complainant

For Petitioner : Mr.DHILIPAN PANDIAN.R.L,
Advocate.

For Respondent : Mr.B.NAMBISELVAN,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.487/2023 on the file of the respondent police
ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial custody on 12.12.2023 for the offence punishable under Sections 352, 386 and 506(2) of I.P.C. and Section 27(2) of the Arms Act, 1959 in Crime No.487 of 2023 on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that on 12.12.2023, the petitioner herein threatened the defacto complainant viz., Vijay with deadly weapons and robbed Rs.100/- from him. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that the Law Enforcing Agency frequently put up cases against the petitioner of similar nature. He would further submit that the petitioner has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody for more than twenty days. Hence, he prays for bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are totally seven previous cases pending against the petitioner and all these cases are similar in nature.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case, this court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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, Thanjavur



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District and on further conditions that:

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(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to appear before the respondent police twice daily i.e., at 10.30 A.M., and 05.00 P.M., until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]; and;



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(f)if the accused thereafter absconds, a fresh FIR can be registered

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under Section 229-A IPC.

sd/-

02/01/2024

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02/01/2024

Sub-Assistant Registrar
(C.S. I / II / III/ IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL

MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,

SUB JAIL, THANJAVUR DISTRICT.

4 THE INSPECTOR OF POLICE,

TAMIL UNIVERSITY POLICE STATION, THANJAVUR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.23485 of 2023

Date :02/01/2024

SA/SAR. /02.01.2024/4P/6C

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