



CRL OP(MD). No.23560 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.23560 of 2023

Johny Larkinraj,

... Petitioner/ Accused No.3

Vs

**The Inspector of Police,
Navalpattu Police Station,
Navalpattu,
Trichy District.
Crime No.287/2023..**

... Respondent/Complainant

For Petitioner : Mr.T.Vadivelan,Advocate.

**For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor**

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

PRAYER :-

For Bail in Crime No.287/2023 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioner / Accused No.3 , who was arrested and remanded to judicial custody on 12.12.2023 for the offence punishable under Sections 147, 148, 324, 427 and 506 (ii) of I.P.C., and subsequently, altered into under Sections 147, 148, 294(b), 307, 324, 427 and 506(ii) in Crime No.287 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that there was a property dispute between the petitioner and the defacto complainant and due to which, the petitioner along with other accused persons attacked the defacto complainant and thereby, the defacto complainant made a complaint before the respondent Police.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the injured person has been discharged from the hospital.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that though the injured person discharged from the hospital, there is one previous case pending against the petitioner and subsequently, the same was disposed of by the Court and therefore, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case, this Court is inclined to



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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.III, Trichy and on further conditions that:

(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 daily at 05.00 P.M, for a period of two weeks and thereafter, as and when required for interrogation

(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;

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



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

229-A IPC.

sd/-
03/01/2024

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03/01/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

- 1 THE JUDICIAL MAGISTRATE NO.III
TRICHY.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY
- 4 THE INSPECTOR OF POLICE
NAVALPATTU POLICE STATION,
NAVALPATTU,
TRICHY DISTRICT.



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

+1. CC to MR.T.VADIVELAN, Advocate SR.No.235(I) DT: 05/01/2024

ORDER
IN
CRL OP(MD) No.23560 of 2023
Date :03/01/2024

PKP/SAR- /03.01.2024/ 5P/7C

Madurai Bench of Madras High Court is issuing certified
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