



CRL OP(MD).No.10220 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Angappan

... Petition/ Accused Rank not known

Vs.

The State

Rep. by the Inspector of Police,

Seidunganallur Police Station

Thoothukudi District.

Cr.No.67 of 2024

... Respondent/Complainant

For Petitioner : Mr.V.Angusamy
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in Crime No.67 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 13.06.2024 for the offences punishable under Sections 294(b), 195-A and 506(1) of



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IPC in Crime No.67 of 2024 on the file of the respondent police in S.C.No.64 of 2024

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on the file of the Additional District Judge, No.1, Tuticorin., seeks bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

3. Considering the fact that the petitioner was originally arrested in main Crime No.118 of 2023 on 07.08.2023 and the allegation in the present case is made even while he was in custody and considering the fact that he was already released on bail in the said case and considering the fact that the present complaint was lodged by P.W.1, eight days after the alleged occurrence, I am of the view that the petitioner can be enlarged on bail in the present case. Considering the sensitivity involved in the issue and considering the fact that the injured witness/PW.1 in the said murder case is also residing in the same village, the apprehension expressed on behalf of the prosecution can be addressed by directing the petitioner to stay away, the petitioner enlarged on bail.

4. 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



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Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Srivaikundam, Thoothukudi District.

(a)the petitioner and 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 shall stay at Vilupuram and report before the Vilupuram Town Police Station, Vilupuram daily at 10.30 a.m for a period of 12 weeks, except on the days of hearing of the case without fail. Thereafter, the petitioner should present for all days of hearing and they will not in any manner attempt to drag on the case further;

(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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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in *P.K.Shaji Vs. State of Kerala* [(2005) AIR SCW 5560]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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08/08/2024

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD/TRP

TO

1 THE JUDICIAL MAGISTRATE NO.II
SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE
SEIDUNGANALLUR POLICE STATION,
THOOTHUKUDI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

COPY TO:

THE INSPECTOR OF POLICE,
VILUPURAM TOWN POLICE STATION, VILUPURAM.



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ORDER
IN

CRL OP(MD) No.10220 of 2024

Date :08/08/2024

SS/SAR- /08/08/2024/5P/7C

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