



CRL OP(MD).No.11766 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.11766 of 2024

R.Stalin

... Petitioner/Sole Accused

Versus

State Rep. by
The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
(Cr.No.330 of 2024)

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.330 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.330 of 2024 for the offence under Section 436 of IPC, and remanded him into judicial custody on 06.06.2024. Therefore, the petitioner has filed this petition seeking

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



CRL OP(MD).No.11766 of 2024

WEB COPY

bail.

2. The case of the prosecution is that in order to grab money from the defacto complainant, the petitioner threatened him. Thereafter, the petitioner went to the defacto complainant's house and set fire and caused damage to the house worth Rs.3,00,000/-. The defacto complainant's certificates, gold chain and some cash were fully destroyed. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 06.06.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the petitioner caused damage worth Rs.3,00,00/- and he has also produced photograph to that effect. Further, he submits that considering the nature of damage, this Court had dismissed the earlier application by order dated 26.06.2024.

5. The learned Counsel for the petitioner submits that he is prepared to deposit a sum of Rs.50,000/- to the credit of Crime No.330 of 2024, enabling the petitioner to restore his house.

6. Considering the period of incarceration and also considering the submission



CRL OP(MD).No.11766 of 2024

made on behalf the petitioner, this Court is inclined to grant bail to the petitioner.

WEB COPY

7. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District

(ii) the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.330 of 2024 before the Judicial Magistrate No.II, Kumbakonam, Thanjavur District. On such deposit being made, if the victim is willing to receive the said amount, he/she is entitled to file an appropriate application to withdraw the said amount or otherwise the said amount shall be decided at the time of deciding the case under Section 357 of Cr.P.C., by the learned Judicial Magistrate concerned. The respondent police is directed to inform the same to the defacto complainant.

iii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in



CRL OP(MD).No.11766 of 2024

proof of their residence address;

WEB COPY

iv) The petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders . He has to co-operate for the investigation.

v) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

vi) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
26/07/2024

/ TRUE COPY /

26/07/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO

1 THE JUDICIAL MAGISTRATE NO.II,
KUMBAKONAM, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR, THANJAVUR DISTRICT.



CRL OP(MD).No.11766 of 2024

4 THE INSPECTOR OF POLICE,
KUMBAKONAM TALUK POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-8768[I] dated 26/07/2024)

ORDER IN
CRL OP(MD) No.11766 of 2024
Date :26/07/2024

SA/SAR. /26.07.2024/5P/7C

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