



CRL OP(MD). No.10885 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.10885 of 2024

Beer Dasthageer,

... Petitioner/ Accused (Rank Not Known)

Vs

The Inspector of Police,
Manur Police Station,
Tirunelveli District.
Crime No. 436/2024.

... Respondent/Complainant

For Petitioner : Mr.P.Veerapandi
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023 U/s 439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 436 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 10.06.2024 for the offences punishable under Section 294(b), 323, 324, 506 (ii) I.P.C and Section 4 of TNPHW Act @ Sections 294(b), 323, 324, 506 (ii), 307 and 109 I.P.C and Section 4 of TNPHW Act, in crime No.436 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to family dispute between the parties,

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the petitioner said to have abused the defacto complainant in filthy language and also attempted to attack her by using Aruval and threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public prosecutor would submit that the injured has been discharged from the hospital and the investigation is almost completed and he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that the investigation has been completed and considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

6.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 No.V. Tirunelveli.

(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



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card or Bank Pass Book to ensure their identity;

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(ii)the petitioner shall report before the respondent police daily at 10.30 a.m.,for a period of four weeks and thereafter as and when required for interrogation;

(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] and

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

sd/-
19/07/2024

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19/07/2024
Sub-Assistant Registrar (A.D.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO
1 THE JUDICIAL MAGISTRATE NO.5
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

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



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3 THE INSPECTOR OF POLICE,
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.

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

+1 CC to M/s.P.VEERAPANDI, Advocate (SR-8168[I] dated 19/07/2024)

ORDER IN
CRL OP(MD) No.10885 of 2024
Date :19/07/2024

SA/SAR. /19.07.2024/4P/7C

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