



CRL OP(MD). No.10890 of 2024

WEB COPY 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.10890 of 2024

S.Sabajeevarathinam,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
Crime No.295 of 2024..

... Respondent/Complainant

For Petitioner : Mr.Dhilipan Pandian R L,
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.295 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 13.07.2024 for the offences punishable under Sections 132, 131, 280, 296(b), 351(3) of BNS, in Crime No.295 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the Inspector of Police, Swamimalai Police Station. The petitioner abused the defacto complainant in filthy language and attacked him. Further, the petitioner prevented him from discharging his official duty. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 13.07.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage and the petitioner is having 2 previous cases. Hence, he vehemently, opposed to grant bail to the petitioner.



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5.Considering the facts and circumstances of the case and also 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 Court No.II, Kumbakonam, Thanjavur District.

(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 card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the Thanjavur Town Police Station daily at 10.30 a.m, until further orders;

(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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
19/07/2024

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

TO

1. The Judicial Magistrate Court No.II, Kumbakonam, Thanjavur District.
2. Do-Through The Chief Judicial Magistrate,
Thanjore District @ Kumbakonam.
3. The Officer in charge, District Prison,
Thanjavur, Thanjavur District..
4. The Inspector of Police,
Swamimalai Police Station,Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Inspector of Police,
Thanjavur Town Police Station,
Thanjavur.



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ORDER
IN
CRL OP(MD) No.10890 of 2024
Date :19/07/2024

RK (19/07/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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