



CRL OP(MD). No.10906 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Sekar @ Chandrasekar

... Petitioner/ Accused No.12

Vs

The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District,
Cr.No.155 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.G.Saravanakumar
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :- For bail in Crime No.155 of 2023 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 14.06.2024 for the offences punishable under Sections 114, 115, 143, 149, 201, 342, 294



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(b), 302, 307, 324, 452, 506(ii), 147, 148, 120 (b) I.P.C and Section 3 of TNPPDL Act and Section 4 of TNPHW Act, in crime No.155 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein is accused No.12. In view of the continuing rivalry between the deceased's side and the petitioner's side, since the petitioner's brother's son was murdered by the victim side, the petitioner and four others instigated the other accused, who waylaid and murdered the deceased. In this case, even though initially anticipatory bail was granted against the petitioner, thereafter, the anticipatory bail was cancelled and the petitioner was remanded to custody on 14.6.2024.

3. The learned Public Prosecutor, on instructions, would submit that this is the case where the parties are involved in murders repeatedly and therefore, bail should not be granted.

4. 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 14.06.2024 and the similarly placed



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accused have been granted bail.

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5.Considering the overall facts and circumstances of the case that the similarly placed accused against whom also the allegation of conspiracy is made in the case have already been released on bail, I am inclined to enlarge the petitioner on bail. But, however, it is seen that the parties are involving in retributory offences. In view thereof, the bail itself is granted on condition that at least for a minimum period of three months, the petitioner will stay outside, ie., Vellore District.

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.I, Virudhunagar.

(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 stay at Vellore and shall report before the Inspector of

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Police, Vellore North Police Station, Vellore, daily at 10.30 am for a period of 90 days

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and thereafter as and when required for interrogation;

(iii) In the meanwhile, since S.C.No.120 of 2024 is pending before the learned Principal District Judge, Virudhunagar, for the dates of hearing, in the said case alone, the petitioner can come over to Virudhunagar and appear without fail on all dates of hearing. After attending the case, he should return back to Vellore. It is made clear that no relaxation of the condition for the period of three months will be entertained by this Court.

(iv) the petitioner shall not tamper with evidence or witness;

v) the petitioner shall not abscond during trial.

vi) 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].



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

sd/-
05/08/2024

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05/08/2024
Sub-Assistant Registrar (CS-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1. THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3. THE PRINCIPAL DISTRICT JUDGE, VIRUDHUNAGAR.

4.THE INSPECTOR OF POLICE,
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT,

5 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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

COPY TO

THE INSPECTOR OF POLICE, VELLORE NORTH POLICE STATION, VELLORE

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WEB COPY +1 CC to M/s.G.SARAVANAKUMAR, Advocate (SR-9462[I] dated 05/08/2024)

ORDER
IN
CRL OP(MD) No.10906 of 2024
Date :05/08/2024

RK (05/08/2024) 6P / 9C

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