



CRL OP(MD). No.11099 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

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

CRL OP(MD). No.11099 of 2024

Karuppasamy

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kalakadu Police Station,
Tirunelveli.

(In Crime No.350 of 2024). ... Respondent/ Complainant

For Petitioner : C.Venkatesh,
Advocate.

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

PETITION FOR BAIL Under Section 483 BNS / Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime no.350 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/A1, who was arrested and remanded to judicial custody on 01.07.2024 for the offences punishable under Sections 294(b), 323 and 506(i) of IPC, in Crime No.350 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused made an attempt to attack the defacto complainant's daughter and the same was prevented by the defacto complainant. Thereby, they abused the defacto complainant in filthy language and attacked him with wooden log and caused injuries. 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 injured was discharged from the hospital and the petitioner is in judicial custody from 01.07.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed and the petitioner is having 1 previous case. However, he fairly conceded that the injured was discharged from the hospital.



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5.Considering the period of incarceration and also considering the fact that the injured was discharged from the hospital, 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, Nanguneri.

(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 respondent police daily at 10.30 a.m., for a period of two 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



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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/-
22/07/2024

/ TRUE COPY /

22/07/2024
Sub-Assistant Registrar (Writs)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate, Nanguneri..
2. Do-Through The Chief Judicial Magistrate,
Tirunelveli District.
3. The Superintendent, Central Prison,
Palayamkottai, Tirunelveli District..
4. The Inspector of Police,
Kalakadu Police Station,Tirunelveli.



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.11099 of 2024
Date : 22/07/2024

RD(22/07/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.