



CRL OP(MD). No.10976 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

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

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Muthukrishnan,

... Petitioner/ Accused rank not known

Vs

The Inspector of Police,
Pavoorchathiram Police Station, Tenkasi
District. Crime No. 209/2024.

... Respondent/Complainant

For Petitioner : C.Venkatesh,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 209 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/ Accused, who was arrested and remanded to judicial custody on 28.06.2024 for the offence punishable under Section 379 of IPC, in Crime No.209 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused has stolen a goat of the defacto complainant. 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 28.06.2024, 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. But, however, he fairly conceded that the stolen goat was recovered from the accused.

5.Considering the period of incarceration and also considering the fact that a



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stolen goat was recovered from the accused, this Court is inclined to grant bail to the petitioner on certain conditions.

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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, Tenkasi..

(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 three weeks and thereafter, as and when required;

(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

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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].

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

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

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



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

ORDER
IN
CRL OP(MD) No.10976 of 2024
Date : 22/07/2024

KB(22.07.2024) 5P/ 6C

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