



CRL OP(MD). No.11091 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

CRL OP(MD). No.11091 of 2024

Muthu Kumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Valliyoore Police Station,
Valliyoore,
Tirunelveli District.
Crime No.225 of 2018..

... Respondent/Complainant

For Petitioner : Mr.N.Vignesh,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023 @ Section 439 of Cr.P.C.

PRAYER :-

To enlarge the petitioner on Bail in S.C.No.245 of 2024 on the file of the Assistant Sessions Judge, Valliyoore in Crime no.225/2018 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 30.05.2024 on execution of NBW in connection with S.C.No.245 of 2024 for the offences punishable under Sections 294(b) and 506(ii) IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damages and Loss) Act, 1992 in crime No.225 of 2018 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity the petitioner herein and damaged the car of the defacto complainant by using stone and also abused him in filthy language . Hence, the complaint.

3.The learned counsel for the petitioner would submit that on execution of NBW the petitioner herein was arrested and he is in judicial custody from 30.05.2024, hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioner herein was already arrested and released on bail. Due to the non-appearance of the petitioner, he was arrested and remanded to judicial custody.



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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, Valliyoor and on further conditions that;

(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 appear before the concerned Court on each and every hearing date without fail;

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

(iv) the petitioner shall not abscond during trial.



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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].

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

sd/-
22/07/2024

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23/07/2024
Sub-Assistant Registrar (CS-I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate, Valliyoor
2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.
3. The Superintendent, Central Prison, Palayamkottai.



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4. The Inspector of Police,
Valliyoor Police Station,
Valliyoor,
Tirunelveli District.

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

+1 CC to M/s.N.VIGNESH, Advocate (SR-8289[I] dated 22/07/2024)

ORDER
IN
CRL OP(MD) No.11091 of 2024
Date :22/07/2024

RK/ (23/07/2024) 5P / 7C

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