



CRL OP(MD). No.11046 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.11046 of 2024

Prabavathi

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
Avanayapuram Police Station,
Madurai City.
Crime No. 483/2024.

... Respondent/Complainant

For Petitioner : Mr.P.Praveen Kumar, 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. 483 of 2024 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 16.07.2024 for the offence punishable under **(*)Section 331(3) and 305 @ 317(5) of BNS** in Crime No. 483 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused has stolen 19 sovereigns of gold jewels worth about Rs.8,00,000/- and a sum of Rs.4,00,000/- from the house of the defacto complainant. Hence, the case.



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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 16.07.2024, 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. But, however, he fairly conceded that a sum of Rs.1,90,000/- was recovered from the accused.

5.Considering the period of incarceration and also considering the fact that portion of the amount was recovered, 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 one surety for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Madurai.

(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 **(**)Judicial Magistrate No.VI, Madurai** daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required;



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(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 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/-

22/07/2024

(*)Amended as per order of this Hon'ble Court in CRL MP(MD).7419/2024 in CRL OP(MD).11046/2024 dated 24/07/2024

()Corrected as per the order of this Hon'ble Court dated 24/07/2024 in CRL OP (MD).11046 of 2024.**

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/08/2024

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

DSS



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TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON 22/07/2024

1. The Judicial Magistrate No.VI, Madurai..
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Superintendent, Central Prison for Woman,
Madurai.
4. The Inspector of Police,
Avanayapuram Police Station, Madurai City.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.11046 of 2024
Date :22/07/2024

RK (23/07/2024) 4P / 7C

RS (24/07/2024) 4P / 6C

LS

SS/VR/SAR (02/08/2024) 4P / 6C

Madurai Bench of Madras High Court is issuing
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