



CRL OP(MD)No.11141 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.07.2024

PRESENT

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

CRL OP(MD)No.11141 of 2024

1.Nishanth

2.Nitheeshkumar

... Petitioners/
Accused Nos.Rank not known

Vs

The Inspector of Police,
Rayappnpatti Police Station,
Theni District.
(Crime No.126 of 2024)

... Respondent/Complainant

For Petitioners : Mr.S.Vidhya Sahar, 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 Cr No.126 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 petitioners, who were arrested and remanded to judicial custody on 05.05.2024 for the offence punishable under Section 302 and 302A IPC in Cr.No.126 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity, the accused persons attacked the deceased with a knife and committed murder. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 05.05.2024, hence they may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed.

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 petitioners on certain



conditions.
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6 Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Uthamapalayam.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/concerned Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[ii] The petitioners shall report before the respondent police daily at 10.30 a.m, until further orders;

[iii] the petitioners shall not tamper with evidence or witness;

[iv] the petitioners shall not abscond during trial.



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[v] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[vii] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
23/07/2024

/ TRUE COPY /

23/07/2024
Sub-Assistant Registrar (LIASONING)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns

TO

1.THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3.THE OFFICER IN CHARGE
DISTRICT JAIL, THENI.

<https://www.mhc.tn.gov.in/judis>



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4.THE INSPECTOR OF POLICE,
RAYAPPNPATTI POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.S.VIDHYASAGAR, Advocate (SR-8407[I] dated 23/07/2024)

ORDER
IN
CRL OP(MD) No.11141 of 2024
Date :23/07/2024

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

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