



CRL OP(MD)No.11268 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.07.2024

PRESENT

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

CRL OP(MD)No.11268 of 2024

Sivasakthi @ Rajendiran

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Manapparai Police Station,
Trichy District.
In Cr.No.249 of 2024

... Respondent/Complainant

For Petitioner : Mr.A.Joel Paul Antony, Advocate

For Respondent : Mr.T.Senthil Kumar,
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.249 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 19.06.2024
for the offence punishable under Sections 294(b), 323, 506(i) IPC and Section 4 of the



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Tamil Nadu Prohibition of Harassment of Women Act altered into Sections 294(b), 302, 506(i) IPC in Cr.No.249 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the parties are close relatives and the petitioner herein borrowed ½ sovereign gold jewels from the deceased. When the deceased asked to return the jewel, the petitioner abused her in filthy language, pulled her and hit her head on the wall and she died. 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 21.06.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that 14 witnesses have been examined and the investigation is yet to be completed.

5.Considering the period of incarceration and also considering that 14 witnesses have been examined, 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, Manapparai, Trichy District.

[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 petitioner shall report before the respondent police daily at 10.30 a.m, until further orders;

[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 Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in



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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].

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

sd/-
31/07/2024

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01/08/2024
Sub-Assistant Registrar()
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO

- 1 THE JUDICIAL MAGISTRATE,
MANAPPARAI, TRICHY DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION, TRICHY DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.



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

+1 CC to M/s.A.JOEL PAUL ANTONY, Advocate (SR-9161[I] dated 01/08/2024)

ORDER

IN

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Date :31/07/2024

SS/SAR- /01/08/2024/5P/7C

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