



CRL OP(MD). No.11374 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2024

PRESENT

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

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Gunal,

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
Crime No. 434/2024.

... Respondent/ Complainant

For Petitioner : Mr.K. M.Karunakaran,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 434 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 21.05.2024 for the offences punishable under Sections 449, 307, 341, 302 r/w 120B, 109



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of IPC, in crime No.434 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the daughter of the defacto complainant and A1 are the husband and wife. Due to difference of opinion, they got separated. In such circumstances, the petitioners along with other accused, trespassed into the house of the defacto complainant and brutally attacked her husband with deadly weapons. Due to grievous injuries, he died. Hence, the complaint.

3.The learned counsel for the petitioner the petitioner is innocent and he has not committed any offence as mentioned in the FIR. He would further submit that the petitioner is in judicial custody from 21.05.2024 and hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the deceased is the father-in-law of A1. Even though, 17 witnesses have been examined, the investigation is yet to be completed. Hence, he vehemently, opposed to grant bail to the petitioner.

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



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Judicial Magistrate Court No.I, Thanjavur.

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(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., 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 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/-
24/07/2024

/ TRUE COPY /

24/07/2024
Sub-Assistant Registrar (C.O)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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DSS

TO

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1 THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
THANJAVUR WEST POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-8511[I] dated 24/07/2024)

ORDER IN

CRL OP(MD) No.11374 of 2024

Date :24/07/2024

SA/SAR. /24.07.2024/4P/7C

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