



CRL OP(MD). No.11413 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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1. Sivanandham
2. Annadurai
3. Mathanraj

... Petitioners/ Accused Rank not known

Vs

The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
(Crime No. 395 of 2024).

... Respondent/Complainant

For Petitioners : M/s. Jameelarasu.B., Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 395 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who were arrested and remanded to judicial



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custody on 04.07.2024 for the offences punishable under Sections 109, 118(1), 126, 296(b) and 351(2) of BNS Act, in Crime No.395 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant is the husband of one Divya. Due to difference of opinion, they got separated. Due to that, the petitioners along with other accused, abused the defacto complainant in filthy language and brutally attacked him with aruval and caused injuries to him. Hence, the complaint.

3.The learned counsel for the petitioners the petitioners are innocents and they have not committed any offence as mentioned in the FIR. He would further submit that the injured was discharged from the hospital and the petitioners are in judicial custody from 04.07.2024 and hence they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioners herein are A2 and A3. The investigation is in preliminary stage and the first petitioner is having 8 previous cases and the second petitioner is having 1 previous case. But, however, he fairly conceded that the injured was discharged from the



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hospital.

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5.Considering the period of incarceration and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioners on certain conditions.

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 Judicial Magistrate Court No.I, Kumbakkonam, Thanjavur District.

(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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

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



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iv)the petitioners 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 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].

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

sd/-
24/07/2024

/ TRUE COPY /

25/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judicial Magistrate No.I,
Kumbakonam, Thanjavur District.



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2. Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3. The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.

4. The Superintendent,
Central Prison,
Tiruchirappalli.

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

ORDER
IN
CRL OP(MD) No.11413 of 2024
Date :24/07/2024

ED/ /SAR- (25/07/2024) 5P / 6C

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