



CRL OP(MD). No.11454 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2024

PRESENT

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

CRL OP(MD). No.11454 of 2024

Panchacharam,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.
Cr.No.107/2024.

... Respondent/ Complainant

Ramachandhiran

...Petitioner/Intervener/ Defacto Complainant
in CRL MP(MD)No. 7592 of 2024

For Petitioner : M/s.Subramanian.A,Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

For Intervener : Mr.K.Sivabalan, Advocate

in CRL MP(MD)No. 7592 of 2024

PETITION FOR BAIL Under Sec. 483 of BNSS

PRAYER :-

For Bail in Crime No.107 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

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



CRL OP(MD). No.11454 of 2024

06.07.2024 for the offences punishable under Sections 329(4), 296(b), 115(2), 118(1), 351(3) of BNS, 2023 and Section 4 of Prohibition of Harassment of Women Act, 2002 in crime No.107 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to property dispute, the petitioner herein has attacked the defacto complainant with rod and also abused him in filthy language. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 06.07.2024, hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the injured was discharged from the hospital and the petitioner is having 5 previous cases and the co-accused has already been released on bail.

5. The learned counsel for the intervenor submitted that the petitioner herein has repeatedly doing the same offence and hence, he strongly opposed to grant bail to the petitioner.

6. Considering the facts and circumstances of the case and that the injured was discharged from the hospital and also considering the period of incarceration, this

Court is inclined to grant bail to the petitioner on certain conditions.



CRL OP(MD). No.11454 of 2024

7. 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, Paramakudi, Ramanathapuram District and on further conditions that;

(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 Inspector of Police, Town Police Station, Rameshwaram 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].



CRL OP(MD). No.11454 of 2024

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section

229A IPC.

sd/-
31/07/2024

/ TRUE COPY /

31/07/2024
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

- 1 THE JUDICIAL MAGISTRATE
PARAMAKUDI
RAMANATHAPURAM DISTRICT
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE SUPERINTENDENT,
DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE
CHATRAKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



CRL OP(MD). No.11454 of 2024

WEB COPY
COPY TO

THE INSPECTOR OF POLICE
RAMESHWARAM.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-9010[I] dated 31/07/2024)

ORDER
IN
CRL OP(MD) No.11454 of 2024
Date :30/07/2024

PKP/31.07.2024/ 5P/ 8C

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