



CRL OP(MD). No.11550 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.11550 of 2024

Saravanan,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kulithalai Police Station,
Karur District.
(Crime No. 457 of 2024).

... Respondent/ Complainant

For Petitioner : M/s. Karunanithi.M., Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 483 of BNSS

PRAYER :-

For Bail in Crime No. 457 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 03.07.2024 for the offences punishable under Sections 232 and 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, in crime No.457 of 2024 on the file of the respondent

police, seeks bail.

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



CRL OP(MD). No.11550 of 2024

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2.The case of the prosecution is that the petitioner and the other accused are facing criminal trial in S.C.No.5 of 2024 on the file of the Principal Session Judge, Karur. They threatened the material witnesses in the above said Sessions case to give false evidence and also criminally intimidated them. 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 co-accused was already released on bail and the petitioner is in judicial custody from 03.07.2024 and hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage and the petitioner is having 1 previous cases of 302 IPC case. But, however, he fairly conceded that the co-accused was already released on bail.

5.Considering the period of incarceration and also considering the fact that the co-accused was already released on bail, 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 Judicial Magistrate No II, Kulithalai.

(i)the sureties shall affix their photographs and left thumb impression in the

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CRL OP(MD). No.11550 of 2024

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., for a period of three weeks and thereafter, as and when required for interrogation;

(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/-
25/07/2024

/ TRUE COPY /

25/07/2024
Sub-Assistant Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



CRL OP(MD). No.11550 of 2024

TO

- 1 THE JUDICIAL MAGISTRTE NO II, KULITHALAI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
- 3 THE OFFICER INCHARGE
SUB JAIL, KULITHALAI, KARUR DISTRICT..
- 4 THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION, KARUR DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-8644[I] dated 25/07/2024)

ORDER
IN

CRL OP(MD) No.11550 of 2024

Date :25/07/2024

PKP/25.07.2024/ 4P/7C

Madurai Bench of Madras High Court is issuing certified
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