



CRL OP(MD). No.11581 of 2024

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

Date : 01/08/2024

PRESENT

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

CRL OP(MD). No.11581 of 2024

Petchimuthu

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.
(Cr.No.171 of 2024.)

... Respondent/Complainant

For Petitioner : M/s.M.Perumal, Advocate.

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

PETITION FOR BAIL Under Sec.483 BNSS

PRAYER :-

For Bail in Crime No.171 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 11.07.2024 for the offences punishable under Sections 87 of BNS Act and Sections



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7 and 8 of POSCO Act in crime No.171 of 2024 on the file of the respondent police,
seeks bail.

2.The case of the prosecution is that due to love affair, the petitioner herein eloped with the victim girl for marrying her. 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 false implicated in this case. He would further submit that the petitioner is in judicial custody from 11.07.2024, hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that there was a love affair between the petitioner and the defacto complainant and the investigation of the case is pending.

5.Considering the submissions made by the learned counsel on either side 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 Special Court for Exclusive Trial for POSCO Act, Thirunelveli and on further conditions that;



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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 appear before the respondent police daily at 10.30 am 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].

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

sd/-
01/08/2024

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/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP
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To

1.The Judge,
Special Court for Exclusive Trial for POCSO Act,
Thirunelveli.

2.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.

3.The Superintendent,
Central Prison, Palayamkottai.

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

+1 CC to M/s.M.PERUMAL, Advocate (SR-9184[I] dated 01/08/2024)

ORDER
IN

CRL OP(MD) No.11581 of 2024

Date :01/08/2024

ED/ GS /SAR- (02/08/2024) 4P / 6C

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