



CRL OP(MD). No.11677 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2024

PRESENT

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

CRL OP(MD). No.11677 of 2024

Ravi

... Petitioner/ Accused Rank No.2

Vs

The Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District.

Cr.No.89 of 2024..

... Respondent/ Complainant

For Petitioner :Mr. D.Rajaboopathy,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.89 of 2024 on the file of the respondent police



CRL OP(MD). No.11677 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner/A2, who was arrested and remanded to judicial custody on 13.07.2024 for the offences punishable under Sections 296(b), 115(2), 303(2) and 351 (3) of BNS Act, in Crime No.89 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to the dispute in catching fish at Kanmai, the petitioners along with other accused, abused the defacto complainant in filthy language and attacked him and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner the petitioner is innocents 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 13.07.2024. 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 5 previous cases.



CRL OP(MD). No.11677 of 2024

But, however, he fairly conceded that the co-accused was already released on bail.

WEB COPY

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 Court, Rajapalayam, Virudhunagar 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 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

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



CRL OP(MD). No.11677 of 2024

WEB COPY

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/-
26/07/2024

/ TRUE COPY /

26/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate,
Rajapalayam, Virudhunagar District..
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District at Srivillipudhur,
3. The Officer In-charge, Sub Jail,
Srivillipudhur, Virudhunagar District..
4. The Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District.



CRL OP(MD). No.11677 of 2024

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

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-8711[I] dated 26/07/2024)

ORDER
IN
CRL OP(MD) No.11677 of 2024
Date :26/07/2024

RD(26/07/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.