



CRL OP(MD). No.11681 of 2024

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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.11681 of 2024

Asankani,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Puliyankudi Police Station,
Tenkasi District.
Cr.No.277 of 2024.

... Respondent/Complainant

For Petitioner : Mr.S.Sundarapandian,
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.277 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 296(b), 127(2), 115 (2), 351 (3)

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



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BNS and Section 4 of TNPWH Act, in crime No.277 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to property dispute between the parties, the petitioner attacked the defacto complainant and caused injury to her.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 03.07.2024, hence he may be released on bail.

4.The learned Government Advocate (Crl. side) would submit that the injured was discharged from the hospital and the investigation is yet to be completed. Hence, he strongly opposed to grant bail.

5.Considering the facts and circumstances of the case and also considering the facts that the injured was discharged from the hospital and the major part of the investigation might have been completed and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain



conditions.
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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 learned Additional District Munsif cum Judicial Magistrate, Sivakiri.

(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 two 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



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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/-
26/07/2024

/ TRUE COPY /

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

LS

TO

1. THE ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SIVAKIRI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
3. THE INSPECTOR OF POLICE,
PULIYANKUDI POLICE STATION,
TENKASI DISTRICT.



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4. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11681 of 2024
Date :26/07/2024

RK (26/07/2024) 5P / 6C

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