



CRL OP(MD) No.11898 of 2024

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

Thursday, the First day of August Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD) No.11898 of 2024

SELVA GANESH

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
NORTH POLICE STATION,
THOOTHUKUDI.
(CRIME NO 239 OF 2024)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.ARUN RAMNATH, Advocate

For Respondent : MR.R.M.ANBUNITHI, Additional Public Prosecutor

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER : FOR BAIL IN CRIME NO 239 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 15.07.2024 for the offences punishable under Sections 191(2), 296(b), 109, 351(3) of BNS, in crime No.239 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners along with other accused attempted to murder the defacto complainant with Aruval and also abused him in filthy language. Hence, the complaint.

3.The learned counsel for the petitioner the petitioner is innocents and he has



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not committed any offence as mentioned in the FIR. He would further submit that the petitioner is in judicial custody from 15.07.2024 and hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that no one has sustained injury in the said occurrence and the petitioner herein is having two previous cases. Hence, he opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and that no one has sustained injury 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 Judicial Magistrate No.III, Thoothukudi.

(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., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial.



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(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/-
01/08/2024

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02/08/2024

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, THOOTHUKUDI.

4 THE INSPECTOR OF POLICE, NORTH POLICE STATION,
THOOTHUKUDI.

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



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ORDER

IN

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Date :01/08/2024

RS/JGB/SAR-(02.08.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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