



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2024

PRESENT

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

CRL OP(MD). No.11999 of 2024

Amar @ Amarnath

... Petitioner/ Accused No.7

Vs

The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
Crime No. 420 of 2024..

... Respondent/Complainant

For Petitioner : Mr.S.Anantha Murugan,
Advocate.

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

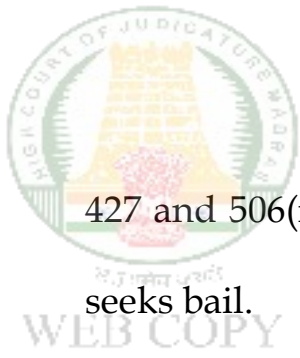
PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.420 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A7, who was arrested and remanded to judicial custody on 21.05.2024 for the offences punishable under Sections 147, 148, 294(B), 324, 342, 302,



427 and 506(ii) of IPC, in crime No.420 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 murdered the deceased. 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 petitioner is in judicial custody from 21.05.2024 and hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that it is a case of retaliation murder. The investigation is still pending and the petitioner is having 1 previous case. Hence, he opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case 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 learned Judicial Magistrate No.I, Sivagangai, Sivagangai 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

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



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.

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/-
30/07/2024

/ TRUE COPY /

30/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate No.I,
Sivagangai, Sivagangai District..



2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.

3. The Superintendent, Central Prison, Madurai..

4. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

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

+2 CC to M/s.S.ANANTHA MURUGAN, Advocate (SR-8966[I] dated 30/07/2024)

ORDER

IN

CRL OP(MD) No.11999 of 2024

Date :30/07/2024

MK/30.07.2024 4P 8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023