



CRL OP(MD). No.12116 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2024

PRESENT

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

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1. Anitha Priya

2. Nagajothi

... Petitioners/ Accused No.7 & 12

Vs

The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District,
(Crime No.83/2024.)

... Respondent/Complainant

For Petitioner : M/s.Ramesh.C, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.83/2024 on the file of the respondent police



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ORDER: The Court made the following order :-

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The petitioners /Accused, who were arrested and remanded to judicial custody on 19.06.2024 for the offences punishable under Sections 395, 457 and 458 I.P.C @ into Sections 120(B), 414, 395, 457 and 458 I.P.C., in crime No.83 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners and other accused have trespassed into the house of the defacto complainant and threatened him with knife and stolen the gold jewels worth about Rs.16,80,000/- and four mobile phones and Rs.55,000/- cash. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 19.06.2024, hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioners are having several previous cases. He would further submit that the investigation of the case is pending and 12 witnesses have been examined and hence, he strongly opposed to grant bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the



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period of incarceration, this Court is inclined to grant bail to the petitioners on certain conditions.

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6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Rajapalayam, and on further conditions that;

(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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



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229A IPC.

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section

sd/-
30/07/2024

/ TRUE COPY /

31/07/2024

Sub-Assistant Registrar (A.E.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

To

1.The Judicial Magistrate,
Rajapalayam.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

4.The Superintendent,
Central Prison for Women, Madurai.

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

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-8945[I] dated 30/07/2024)

ORDER
IN

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Date :30/07/2024



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ED/ /SAR- (31/07/2024) 5P / 7C

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