



CRL OP(MD). No.12218 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

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

CRL OP(MD). No.12218 of 2024

Ayyanar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kadamalaikundu Police Station,
Theni.

Crime No. 232/2024.

... Respondent/Complainant

For Petitioner : Mr.Kannan Gurusami,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 232 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 12.07.2024 for the offences punishable under Sections 126(2), 296(b) and 109 of BNS Act and Section 4 of Prohibition of Women Harassment Act, 2002, in Crime No.232 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant

<https://www.mhc.trngov.in/judis>



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are the husband and wife. The petitioner waylaid the defacto complainant and enquired about his missing two wheeler. Thereby, there was wordy quarrel arose between them. At that time, the petitioner abused the defacto complainant in filthy language and brutally attacked her with aruval on her head and chest and caused injuries to her. 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 injured was discharged from the hospital and no previous case is pending against the accused. Further the petitioner is in judicial custody from 12.07.2024 and hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage. But, however, he fairly conceded that the injured was discharged from the hospital and no previous case is pending against the accused.

5.Considering the period of incarceration and also considering the fact that the injured was discharged from the hospital and no bad antecedent is reported against the accused, 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



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learned Judicial Magistrate, Aundipatti.

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(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 Chinnamanur Police Station, Theni, 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/-
31/07/2024

/ TRUE COPY /

01/08/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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DSS

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE,
AUNDIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THEKKAMPATTI, THENI DISTRICT.

4 THE INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION, THENI.

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

COPY TO:

THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION, THENI.

+1 CC to M/s.KANNAN GURUSAMY, Advocate (SR-9074[I] dated 31/07/2024)

ORDER IN

CRL OP(MD) No.12218 of 2024

Date :31/07/2024

SA/SA/SAR. /01.08.2024/4P/8C

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