



CRL OP(MD). No.12294 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.12294 of 2024

R.Balan,

... Petitioner/ Accused No.1

Vs

**The Inspector of Police,
Cantonment Police Station,
Trichy District.
Crime No.1486 of 2024.**

... Respondent/ Complainant

**For Petitioner : Mr.Dhilipan Pandian R L,Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor**

PETITION FOR BAIL Under Sec. 483 of BNSS

PRAYER :-

For Bail in Crime no.1486 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
19.07.2024 for the offences punishable under Sections 140 BNS, 2023, in crime**

No.1486 of 2024 on the file of the respondent police, seeks bail.

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



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2.The case of the prosecution is that due to money dispute between the parties, the petitioner and other accused have kidnapped the husband of the defacto complainant. Hence, the case.

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 19.07.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that totally five accused and except this petitioner, all other accused were absconded and the investigation is pending. Hence, he strongly opposed to grant bail.

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



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learned Judicial Magistrate No.II, Tiruchirappalli, Tiruchirappalli 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 card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police weekly once ie. on every Saturday 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].



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
31/07/2024

/ TRUE COPY /

31/07/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
TIRUCHIRAPPALLI, TIRUCHIRAPPALLI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
CANTONMENT POLICE STATION,
TRICHY DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, TRICHY
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-9060[I] dated 31/07/2024)



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+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-9131[I] dated 31/07/2024)

ORDER

IN

CRL OP(MD) No.12294 of 2024

Date :31/07/2024

PKP/31.07.2024/ 5P/8C

Madurai Bench of Madras High Court is issuing certified
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