



CRL OP(MD). No.12356 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 01/08/2024

PRESENT

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

CRL OP(MD). No.12356 of 2024

1. Parthiban,

2. Sabarikrisan,

... Petitioners/ Accused 1 & 2

Vs

The Inspector of Police,  
Kumbakonam Taluk Police Station,  
Thanjavur District.  
(Crime No.413/2024).

... Respondent/ Complainant

For Petitioner : Mr.B.Jameelarasu,  
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.413/2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioners/ A1 & A2, who were arrested and remanded to judicial custody on 23.07.2024 for the offences punishable under Sections 296(b), 131, 324(3) and 351(3) of BNS Act r/w Section 25(1A) of Arms Act, in Crime No.413 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that when the defacto complainant was proceeding towards medical shop in his bike, the petitioners along with other accused, prevented him to proceed further. When the same was questioned by him, they abused him in filthy language and caused damage to his bike worth about Rs.25,000/-. Hence, the complaint.

3.The learned counsel for the petitioners the petitioners are innocents and they have not committed any offence as mentioned in the FIR. He would further submit that no one has sustained injury in the said occurrence and the petitioners are in judicial custody from 23.07.2024 and hence they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the



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investigation is in preliminary stage. But, however, he fairly conceded that no one has sustained injury in the said occurrence.

5.Considering the period of incarceration and also considering the fact that no one has sustained injury, this Court is inclined to grant bail to the petitioners on certain conditions.

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 Judicial Magistrate Court No.II, Kumbakkonam, Thanjavur 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

(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



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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].

vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-  
01/08/2024

/ TRUE COPY /

02/08/2024  
Sub-Assistant Registrar( )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

DSS

TO

- 1 THE JUDICIAL MAGISTRATE NO.II  
KUMBAKKONAM, THANJAVUR DISTRICT.
- 2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE  
DISTRICT JAIL, PUDUKOTTAI..
- 4 THE INSPECTOR OF POLICE  
KUMBAKONAM TALUK POLICE STATION, THANJAVUR DISTRICT.



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

ORDER  
IN  
CRL OP(MD) No.12356 of 2024  
Date :01/08/2024

SS/SAR- /02/08/2024/5P/6C

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