



CRL OP(MD). No.12449 of 2024

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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.12449 of 2024

Ramar,

... Petitioner/ Accused No.Nil

Vs

The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
Tirunelveli District.
Crime No.286 of 2024.

... Respondent/Complainant

For Petitioner : Mr.A.S.ABDUL KALAAM AZAD, Advocate
for M/s.Spicy Law Firm,
For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.286 of 2024 on the file of the Respondent Polilce.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody
on 02.07.2024 for the offences punishable under Sections Sections 147, 341, 294(b),

307, 506 (ii) I.P.C, in Cr.No.286 of 2024, on the file of the respondent police, seeks

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



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2.The case of the prosecution is that due to Election motive in Bar Association, the petitioner and other accused abused the defacto complainant in filthy language and also threatened with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. The petitioner also sustained injury and he lodged a complaint and the same was registered in Crime No.350 of 2024, hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that totally 10 accused and the petitioner is arrayed as A9 in this case. He would further submit that the accused and the defacto complainant are Advocates and the co-accused in this case already released on bail. It is a case and counter.

5.Considering the submissions made by the learned counsel on either side and that it is a case and counter case and that the co-accused had already released on bail, 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, Thirunelveli and on further conditions that;



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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 Inspector of Police, Cheranmahadevi Police Station, Cheranmahadevi, daily at 10.30 am, 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
01/08/2024

/ TRUE COPY /

02/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP
TO
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- 1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUNELVELI.
- 4 THE INSPECTOR OF POLICE,
PERUMALPURAM POLICE STATION,
TIRUNELVELI CITY,
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
CHERANMAHADEVI.



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+1 CC to M/s.M/S.SPICY LAW FIRM, Advocate (SR-9176[I] dated 01/08/2024)

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ORDER
IN
CRL OP(MD) No.12449 of 2024
Date :01/08/2024

SA/SAR. /02.08.2024/5P/8C

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