



CRL OP(MD). No.12503 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2024

PRESENT

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

CRL OP(MD). No.12503 of 2024

Udaiyar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli City.
Crime No.263 of 2024.

... Respondent/Complainant

For Petitioner : Mr.K.Suyambulingabharathi, Advocate.
For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No.263 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 29.07.2024 for the offences punishable under Sections 126(2), 127(2), 296(b), 118(1) and 351 (3) BNS, 2023 Section 4 of Women Harassment Act, in crime No.263 of 2024 on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the petitioner said to have abused the defacto complainant in filthy language and threatened her with dire consequences. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 29.07.2024, hence he may be released on bail.

4.The learned Government Counsel would submit that due to the incident, there was no injury and the petitioner is having 11 previous case and the investigation is yet to be completed. 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 learned Judicial Magistrate No.IV, Tirunelveli.

(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



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card or Bank Pass Book to ensure their identity;

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(ii) the petitioner shall report before the respondent police 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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02/08/2024

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

LS

TO

1 THE JUDICIAL MAGISTRATE NO.IV, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.



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3 THE INSPECTOR OF POLICE, TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI CITY.

4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-9303[I] dated
02/08/2024)

ORDER
IN
CRL OP(MD) No.12503 of 2024
Date :02/08/2024

RS//SAR-(02.08.2024) 4P 7C
Madurai Bench of Madras High Court is issuing
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