



CRL OP(MD). No.12521 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.12521 of 2024

Mahakrishnan

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi District,
(Cr.No.239 of 2024.)

... Respondent/Complainant

For Petitioner : Mr.KA.Raamakrishna, Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S.

PRAYER :- For bail in Crime No.239 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 191(2), 296(b), 109 and 351 (3) BNS, 2023, in crime No.239 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 and other accused restrain the defacto complainant and abused him in filthy language and also assaulted him with aruval. 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 there was no injury and the petitioner is having 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 facts that the major part of the investigation might have been completed and the petitioner is in judicial custody from 19.07.2024, 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.3, Thoothukudi, Thoothukudi District.

(i)the sureties shall affix their photographs and left thumb impression in the



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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, Kovilpatti West Police Station, Kovilpatti, 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].

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

sd/-
02/08/2024

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05/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS



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To
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- 1.The Judicial Magistrate No.III,
Thoothukudi,
Thoothukudi District.
- 2.Do through the Chief Judicial Magistrate,
Thoothukudi District.
- 3.The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi District.
- 4.The Officer Incharge,
Perurani District Jail,
Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

Copy to:

The Inspector of Police,
Kovilpatti West Police Station,
Kovilpatti.

+1CC to M/s.KA.RAMAKRISHNAN, Advocate, SR No.9440(I), dated 05.08.2024

ORDER
IN
CRL OP(MD) No.12521 of 2024
Date :02/08/2024



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ED/ /SAR- (05/08/2024) 5P / 8C

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