



CRL OP(MD). No.12564 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12564 of 2024

Senthuriyan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.

Crime No. 454 of 2024.

... Respondent/Complainant

For Petitioner : Mr.P.Manikandan,
Advocate.

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

PETITION FOR BAIL Under Sec.482 BNS / 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 454 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody



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on 25.07.2024 for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS Act, 2023 (294(b), 324 and 506(2) of IPC) in Crime No.454 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to family dispute, the petitioner herein has attacked the defacto-complainant with knife and caused injuries and also threatened him with dire consequences. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the fact that two occurrences are happened repeatedly on two succeeding days and considering the fact that the de facto complainant is the brother-in-law of the petitioner and considering the overall facts and circumstances of the case, I am of the view that it is a fit case for enlarging the petitioner on bail. The petitioner and the defacto-complainant are residing nearby. Therefore, it is just a necessary that the petitioner has to stay away.



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5. It is reported by the learned counsel for the petitioner that in the connected case in Crl.OP.(MD)No.12569 of 2024, the petitioner was directed to sign before the Dindigul Taluk Police Station, Dindigul, everyday at 10.30 a.m. But, however, considering the fact that the repeated occurrences happened between the parties, it is just a necessary that the petitioner shall stay away for a while and therefore, even while imposing condition in the present case the condition in the earlier case also stands modified.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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.1, Dindigul, and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioner shall stay at Madurai and appear before the Anna Nagar Police Station, Madurai, daily at 10.30 A.M., for a period of four weeks and thereafter, as and when required for interrogation before the respondent Police. The same shall be complied in both the cases.



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[d] the petitioner shall not commit any offences of similar nature.

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[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

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08/08/2024

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

APD/TRP



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.I
DINDIGUL.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.
- 4 THE INSPECTOR OF POLICE
DINDIGUL TALUK POLICE STATION,
DINDIGUL.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION, MADURAI.

ORDER
IN
CRL OP(MD) No.12564 of 2024
Date :08/08/2024

SS/SAR- /08/08/2024/5P/7C

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