



CRL OP(MD). No.12772 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12772 of 2024

Mariyappan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
Crime No.192 of 2024.

... Respondent/Complainant

For Petitioner : M/s. Angusamy.V,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.192 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 27.07.2024 for the offences punishable under Sections 296(b). 351(2) of BNS, 2023

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and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992, in crime No, 192 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner used to come to the defacto complainant's hotel in an inebriated state. Therefore, the defacto complainant has instructed him not to enter into his hotel. Aggrieved over the same, the petitioner has abused the defacto complainant using filthy language, threatened him with dire consequences and also caused damage to the Kadappakal in the defacto complainant's hotel. Hence the case.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the facts and circumstances of the case, considering the fact that the petitioner was arrested on 27.07.2024 and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioner on certain conditions.

5.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, Cheranmahadevi,Thirunelveli;

(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 respondent police daily at 10.30 a.m., for a period of three weeks;

(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].

sd/-
06/08/2024

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06/08/2024
Sub-Assistant Registrar
(A.D.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO
1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

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3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-9493[I] dated 06/08/2024)

ORDER IN
CRL OP(MD) No.12772 of 2024
Date :06/08/2024

SA/06.08.2024/4P/7C

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