



CRL OP(MD). No.12810 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12810 of 2024

Raja @ Krishna Raja,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Manur Police Station,
Tirunelveli District.
Crime No. 517 /2024.

... Respondent/Complainant

For Petitioner : M/s. Perumal.M, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 517 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 23.07.2024 for the offences punishable under Sections 296(b), 311 and 351 (3) of BNS Act, in Crime No.517 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner demanded money from the defacto complainant. When the same was refused by him, he abused the defacto complainant in filthy language and robbed a sum of Rs.1,500/- from the defacto complainant by showing aruval. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as mentioned in the FIR. He would further submit that the defacto complainant filed an affidavit before the trial Court that no such occurrence was took place and the petitioner is in judicial custody from 23.07.2024 and hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage and the petitioner is having 4 previous cases including 1 NDPS Act case. Hence, he vehemently, opposed to grant bail to the petitioner.

5.Considering the period of incarceration and also considering the fact that the defacto complainant filed an affidavit before the trial Court that no such occurrence



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was took place, 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.5, Tirunelveli District.

(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 respondent police twice a day at 10.30 a.m and 05.30 p.m for a period of four weeks and thereafter, as and when required for interrogation;

(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].

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



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vi) If the accused thereafter abscond, a fresh FIR can be registered under Section

229A IPC.

sd/-

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07 / 08 / 2024

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

DSS

TO

1 THE JUDICIAL MAGISTRATE NO.5,
TIRUNELVELI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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

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

+1 CC to M/s.M.PERUMAL, Advocate (SR-9578[I] dated 07/08/2024)



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ORDER
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Date :07/08/2024

PSP/ /SAR /07.08.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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