



CRL OP(MD). No.12823 of 2024

WEB COPY

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.12823 of 2024

1. Muthukumar @ Bullet Kumar,

2. Kalimuthu,

... Petitioners/ Accused Nos.1&2

Vs

**The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District,
Crime No.304/2024.**

... Respondent/Complainant

For Petitioners: M/s. Sasidharantamilkani.S.T, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER:-

For Bail in Crime No.304/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who were arrested and remanded to judicial custody on 11.07.2024 for the offences punishable under Sections 126, 296(b), 118(1), 127, 109 (1) and 351(3) of BNS Act, in Crime No.304 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant and the accused are close relatives. Due to previous enmity, the petitioners along with other accused, abused the defacto complainant in filthy language and attacked him with aruval and caused injuries to him. Hence, the complaint.

3.The learned counsel for the petitioners the petitioners are innocents and they have not committed any offence as mentioned in the FIR. He would further submit that the injured was discharged from the hospital and the petitioners are in judicial custody from 11.07.2024 and hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage. But, however, he fairly conceded that the injured was discharged from the hospital.



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5.Considering the period of incarceration and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioners on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Cheranmahadevi, 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
07/08/2024

/ TRUE COPY /

07 / 08 /2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

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

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

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

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



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+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-9577[I] dated 07/08/2024)

ORDER
IN

CRL OP(MD) No.12823 of 2024
Date :07/08/2024

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

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