



CRL OP(MD). No.12922 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.12922 of 2024

Ganeshkumar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
Crime No.369/2024.

... Respondent/Complainant

For Petitioner : M/s. Gurumoorthy.S, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS.

PRAYER :-

For Bail in Crime No. 369 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 25.06.2024 for the offences punishable under Sections 294(b) and 302 IPC in crime No. 369 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous motive, the petitioner herein has stabbed the deceased in the stomach, in which, the deceased died on the spot. 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 nature of allegations that the petitioner was running a petty shop and even prior to the occurrence, there was an incident where the deceased in a drunken state went and quarreled in the petty shop asking for things and he was hit by the petitioner and again on the date of occurrence, once again the deceased in a drunken state went to the petty shop and quarrelled and enraged by it in a fit of rage, the petitioner repeatedly stabbed the deceased and considering the fact that the petitioner was arrested on 25.06.2024 and considering the fact that there are no bad antecedents as against the petitioner, I am inclined to enlarge the petitioner on bail.



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Considering that the parties are living in the same locality, the petitioner shall be away atleast for a period of four weeks from the date of released on bail.

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 No.2, Kumbakonam.

(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 Stay at Madurai and report before the Anna Nagar Police Station, Madurai daily at 10.30 am for a period of four weeks and thereafter, appear before the respondent Police 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
08/08/2024

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

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.2,
KUMBAKONAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE
KUMBAKONAM TALUK POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.S.GURUMOORTHY, Advocate (SR-9668[I] dated 08/08/2024)



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ORDER
IN
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Date :08/08/2024

PSP/ /SAR /08.08.2024/ 5P/ 8C

Madurai Bench of Madras High Court is issuing certified
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