



CRL OP(MD). No.12969 of 2024

WEB COPY

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.12969 of 2024

Ganesan @ Nandhu

... Petitioner/ Accused No.2

Vs.

**The Inspector of Police,
Puliangudi Police Station,
Tenkasi District.
Cr.No.295 of 2024.**

... Respondent/Complainant

For Petitioner : Mr.K.Karansingh, Advocate.

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

PETITION FOR BAIL UNDER SEC.483 OF BNSS

PRAYER :- For bail in Crime No.295 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 14.07.2024 for the offences punishable under Sections 296 (b), 109(1), 351(3) of**



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BNS (Old Act 294(b), 307 and 506(ii) IPC respectively), in crime No. 295 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on consuming alcohol, the petitioner herein and other accused said to have attacked the defacto complainant with Aruval 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 nature of allegations and that there was no injury to the defecto complainant in this case and considering the fact that the defecto complainant has appeared before the trial court and filed an affidavit stating that no such incident had taken place and considering the fact that the petitioner was arrested on 14/7/2024 in the instant case, I am of the view that the petitioner can be 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, Sivagiri.

(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 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].

(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.



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TO

1. THE JUDICIAL MAGISTRATE, SIVAGIRI.
2. DO-THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PULIANGUDI POLICE STATION,
TENKASI DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.KARAN SINGH, Advocate (SR-9636[I] dated 08/08/2024)

ORDER

IN

CRL OP(MD) No.12969 of 2024

Date :08/08/2024

PSP/ /SAR /08.08.2024/ 4P/ 7C

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