



CRL OP(MD). No.13315 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13315 of 2024

Sakthivel

... Petitioner/ Accused No.1

Vs.

The Inspector of Police,
Sipcot Police Station,
Thoothukudi District,
Crime No.237/2024.

... Respondent/ Complainant

For Petitioner : M/s. Abiya.K,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-For Bail in Crime No.237/2024 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 25.07.2024 for the offences punishable under Sections 296(b), 109(1), 118(1) and 351(3)



CRL OP(MD). No.13315 of 2024

of BNS Act, 2023 in crime No.237 of 2024 on the file of the respondent police, seeks
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bail.

2. The case of the prosecution is that when the defacto complainant was driving his two wheeler, the petitioner along with the other accused came in opposite direction and dashed against the defacto complainant's bike. Further, they abused the defacto complainant in filthy language stating that where is money and attacked him with their legs and wooden log. Hence, the complaint.

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 and also considering the nature of allegation and the fact that the injured is discharged from the hospital and that the petitioner is not having any previous case, and considering the period of incarceration, I am 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

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



CRL OP(MD). No.13315 of 2024

Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thoothukudi;

(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 daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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



CRL OP(MD). No.13315 of 2024

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/-
14/08/2024

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14/08/2024
Sub-Assistant Registrar (PA-I/ AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI;

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3.THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT

4 THE OFFICER IN CHARGE,
DISTRICT JAIL, PERAURANI, THOOTHUKUDI.

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

+1 CC to M/s.K.ABIYA, Advocate (SR-9921[I] dated 14/08/2024)



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CRL OP(MD). No.13315 of 2024

ORDER

IN

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Date :14/08/2024

RK (14/08/2024) 5P / 7C

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