



CRL OP(MD). No.12996 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12996 of 2024

Manikandan ... Petitioner/ Accused NO.5
Vs

The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
Crime No. 836 /2024. ... Respondent/ Complainant

For Petitioner : M/s. Edin Brough.P,
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. 836 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

25.07.2024 for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2),

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



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118 (1) and 351(3) BNS, 2023, and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.836 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to wordy quarrel between two villages, the petitioner and other accused said to have abused the defacto complainant in filthy language and also assaulted him and caused injuries. Hence, the case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. considering the nature of allegation with reference to the dispute between two villages and considering the fact that the petitioner is having no bad antecedent and that the injured is discharged from the hospital, I am inclined to enlarge the petitioner on bail with 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 Ten Thousand only) with two sureties each for a like sum to the satisfaction of the



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Judicial Magistrate, Papanasam, Thanjavur.

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(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 trial Court 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 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].



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vi) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/08/2024

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09/08/2024
Sub-Assistant Registrar (PA-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE JUDICIAL MAGISTRATE, PAPANASAM, THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT.
4. THE OFFICER IN CHARGE,
SUB JAIL
THANJAVUR.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.EDIN BROUGH, Advocate (SR-9723[I] dated 09/08/2024)

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ORDER
IN
CRL OP(MD) No.12996 of 2024
Date :09/08/2024

RK (09/08/2024) 5P / 7C

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