



CRL OP(MD). No.12992 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.12992 of 2024

Ganeshpandi

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Sivakasi Town Police Station,
Sivakasi.

Crime No.243/2024.

... Respondent/Complainant

For Petitioner : M/s. Muthu Kumaran.R,
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.243 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner/A3, who was arrested and remanded to judicial custody on 11.07.2024 for the offences punishable under Section 25(1A) of Arms Act, in Crime No.243 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the other accused were preparing for retributory murder. 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 against the petitioner that the petitioner preparing for retributory murder and considering the fact that A2 to A4 having already been granted bail and that the petitioner has also got previous antecedent and that there will be a tension, if he is enlarged on bail, even though I am inclined to enlarge the petitioner on bail, the petitioner can be put to terms to stay away from Sivakasi, ie. At Trichy. In view there of, I am inclined to enlarge the petitioner on bail with certain conditions.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is

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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 Judicial Magistrate No.I, Sivakasi.

(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 Trichy District and shall report before the Inspector of Police, Cantonment police station, Trichy, daily at 10.30 a.m for a period of eight 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



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/08/2024

/ TRUE COPY /

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

LS

TO

1. THE JUDICIAL MAGISTRATE NO.I, SIVAKASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLPUTHUR.
- 3.THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
SIVAKASI.
- 4 THE OFFICER IN CHARGE, SUB JAIL, VIRUDHUNAGAR.



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

COPY TO

THE INSPECTOR OF POLICE, CANTONMENT POLICE STATION, TRICHY,

+1 CC to M/s.R.MUTHUKUMARAN, Advocate (SR-9787[I] dated 09/08/2024)

ORDER
IN
CRL OP(MD) No.12992 of 2024
Date :09/08/2024

RK (09/08/2024) 5P / 8C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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