



CRL OP(MD). No.13081 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.13081 of 2024

1. K.Kombaiah

2. K.Murugan

... Petitioners/ Accused No.1, 2

Vs

The Inspector of Police,
Manur Police Station,
Tirunelveli District.
Crime No.568 of 2024.

... Respondent/Complainant

For Petitioners : M/s. Sorimuthu.V,
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.568 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.13081 of 2024

ORDER : The Court made the following order :-

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The petitioners/Accused, who were arrested and remanded to judicial custody on 01.08.2024 for the offences punishable under Sections 296(B), 324(2), 351(3) BNS altered into Sections 296(B), 351(3) BNS, 2023 and Section 3(1) of TNPPDL Act, in Crime No.568 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that during the temple festival, there was a wordy quarrel between the parties, the petitioners abused the defacto complainant in filthy language and threatened with dire consequences and the wind screen of the load auto of the defacto complainant. 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 considering the fact that the petitioners were arrested on 02.08.2024 and the first petitioner is not having any previous case and the second petitioner is having two previous cases, I am inclined to enlarge the petitioner on bail with certain conditions.



CRL OP(MD). No.13081 of 2024

5. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Tirunelveli.

(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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four 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 petitioners shall not tamper with evidence or witness;

iv) the petitioners 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 petitioners in accordance with

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CRL OP(MD). No.13081 of 2024

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law as if the conditions have been imposed and the petitioners 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.V, TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
3. THE INSPECTOR OF POLICE,
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.
- 4.THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.



CRL OP(MD). No.13081 of 2024

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

ORDER
IN
CRL OP(MD) No.13081 of 2024
Date :09/08/2024

RK (09/08/2024) 5P / 6C

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