



CRL OP(MD). No.13132 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13132 of 2024

Kavinessh

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Vallam Police Station,
Thanjavur District,
Crime No.200/2024

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No.200/2024 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 02.05.2024 for the offences punishable under Sections 147, 148, 120(B), 109, 341, 427, 294(b), 307 and 302 IPC in Crime No.200 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that due to business motive, the petitioner along with other accused have abused the defacto complainant and one Appu @ Hariharan and Vinoth in filthy language and also assaulted them, due to which, the said Appu @ Hariharan died on the spot. 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. Considered the serious nature of allegations that the A1 and the other accused have hired hirelings and committed the murder of the deceased. Considering the fact that the petitioner is also said to be a hireling and he is arrayed as accused No.9 in this case and the investigation is now being completed and the charge sheet filed and taken on file as P.R.C.No.29 of 2024 and considering the fact that the petitioner was arrested on 2/5/2024 and considering the fact that there are no previous antecedents as against the petitioner, I am inclined to enlarge the petitioner 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 No.II, 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 appear before the concerned Court on all hearing dates in the committal proceedings as well as the trial without fail.

(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/-

16/08/2024

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16/08/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

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



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TO

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1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE, VALLAM POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-10003[I] dated 16/08/2024)

ORDER

IN

CRL OP(MD) No.13132 of 2024

Date :16/08/2024

RS//SAR-(16.08.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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