



CRL OP(MD). No.13488 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13488 of 2024

Kamalraj,

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
Crime No.220 of 2024.

... Respondent/Complainant

Jeyakumar

... Petitioner/Intervening Petitioner/
Defacto Complainant

In CrI.MP(MD).8467/2024 in CrI.OP(MD).13488/2024

For Petitioner : M/s. Radhakrishnan.G,
Advocate.

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

For intervenor : Mr.S.Ramsundarvijayaraj, Advocate

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime no.220 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner / Accused, who was arrested and remanded to judicial custody on 01.07.2024 for the offences punishable under Sections 294 (b), 324, 506(ii) I.P.C altered into Sections 294(b), 307 and 506(ii) I.P.C, in crime No.220 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that during the temple festival there was quarrel between the parties, due to which, petitioner is said to have attacked the poosari of the temple, because it was insisted that they have to perform the poojas only through the poosari. Hence, the case.

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 that petitioner is said to have attacked the poosari of the temple because it was insisted that they have to perform the poojas only through the poojari and considering the fact that the injured victim is said to have discharged from the hospital and thereafter, he is being admitted in a private hospital and that the petitioner is in jail from 01.07.2024 and that they are all residing in the same village, I am inclined to enlarge 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



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

(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 and shall report before the Inspector of Police, Trichy Cantonment Police Station, Trichy District, 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 also file an affidavit before the trial Court that he will not enter the said temple until the completion of the present case;

(iv)the petitioner shall not tamper with evidence or witness;

v)the petitioner shall not abscond during trial.

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

sd/-
19/08/2024

/ TRUE COPY /

19/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1 THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI, THOOTHUKUDI DISTRICT.

4 THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.

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

COPY TO:
THE INSPECTOR OF POLICE,
TRICHY CANTONMENT POLICE STATION,
TRICHY DISTRICT.

+1. CC to M/S. S.RAMSUNDARVIJAYRAJ, Advocate SR.No.10082 (I)

DT.19/08/2024

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ORDER
IN
CRL OP(MD) No.13488 of 2024
Date :19/08/2024

SA/VR/SAR. /19.08.2024/5P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.