



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13941 of 2024

Risathraj

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Devadanapatti Police Station,
Theni District.
Crime No. 237/2024..

... Respondent/ Complainant

For Petitioner : M/s. Rajaboopathy.D,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S.

PRAYER :-

For Bail in Crime No.237 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on

09.07.2024 for the offences punishable under Sections 126(2), 296(2), 115(2), 351(3) of

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



BNS Act @ 115(2), 126(2), 296(b), 351(3) & 49 of BNS Act and 25(1A) of Arms Act, in Crime No.237 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is working as watchman in the Primary Health Centre, Kenkuvarpatti. The petitioner and other accused are said to have trespassed into the hospital and abused the doctor, who has given treatment to the petitioner herein earlier in filthy language. When the same was questioned by the defacto complainant, they also abused him in filthy language and threatened him and others with dire consequences by showing sword. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of allegations in the present case and also considering the fact that the petitioner is in judicial custody from 09.07.2024, this Court is inclined to grant bail to 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 Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate Court, Periyakulam, Theni 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;

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(ii) the petitioner 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;

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

sd/-
23/08/2024

/ TRUE COPY /

23/08/2024

Sub-Assistant Registrar (CS - I/ II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

1 THE JUDICIAL MAGISTRATE
PERIYAKULAM, THENI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.



3 THE OFFICER INCHARGE,
DISTRICT JAIL, THEGAMPATTI, THENI..

4 THE INSPECTOR OF POLICE
DEVADANAPATTI POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-10299[I] dated 23/08/2024)

ORDER
IN
CRL OP(MD) No.13941 of 2024
Date :23/08/2024

MK/23.08.2024 4P 7C

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