



CRL OP(MD). No.13570 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.13570 of 2024

Muthuvel,

... Petitioner/Sole Accused

Vs

**The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukottai District,
Criem No.73/2024.**

... Respondent/Complainant

For Petitioner : M/s. Lenin Kumar.T, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.73/2024 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 30.05.2024 for the offences punishable under Section 302 I.P.C, in crime No.73 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to quarrel between the father and son, the petitioner, who is the father of the deceased, was not able to withstand the



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menace of his son, who misconducted himself in inebriated condition, attacked the deceased with Aruval and thereby, he succumbed to the injury. 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 unable to withstand the menace of his son, who misconducted himself in inebriated condition, the petitioner killed him and considering the fact that he is in custody from 30.05.2024 and that there are no bad antecedents against the petitioner, I am 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 learned (*)**Judicial Magistrate, Avudaiyarkoil, Pudukkottai.**

(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 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



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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 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 229A IPC.

sd/-
19/08/2024

**(*)AMENDED AS PER THE ORDER OF
THIS HON;BLE COURT IN CRL OP(MD)
No.13570 OF 2024 DATED 03/09/2024.**

/ TRUE COPY /

19 /08 /2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS



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TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 19/08/2024 ALREADY
DESPATCHED**

1 THE JUDICIAL MAGISTRATE
PUDUKKOTTAI.

2 THE JUDICIAL MAGISTRATE,
AVUDAIYARKOIL, PUDUKKOTTAI.

3 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

4 THE INSPECTOR OF POLICE
AVUDAIYARKOIL POLICE STATION,
PUDUKKOTTAI DISTRICT,

5. THE SUPERINTENDENT,
DISTRICT PRISON, PUDUKKOTTAI.

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

+1 CC to M/s.T.LENINKUMAR, Advocate (SR-10092[I] dated 19/08/2024)



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ORDER

IN

CRL OP(MD) No.13570 of 2024

Date :19/08/2024

PSP/ /SAR /19.08.2024/ 5P/ 7C

TRP

SS/SAR- /03/09/2024/4P/8C

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