



CRL OP(MD). No.14067 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14067 of 2024

M.Surya Prakash

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Thallakulam Police Station,
Madurai City, Madurai.
Cr.No.857/2024.

... Respondent/Complainant

For Petitioner : M/s.Iniyavan.M, Advocate.

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

PETITION FOR BAIL Under Sec.483 BNSS, 2023

PRAYER :-

For Bail in Crime No.857 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/ Accused, who was arrested and remanded to judicial custody on 09.08.2024 for the offences punishable under Sections 309(4), 311 and 351 (3) BNS, 2023, in crime No.857 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant, by showing a knife and took Rs.1,300/- from the defacto complainant and his friend.

3.Heard the learned counsel on either side and perused the material records of the case.

* 4. The learned counsel for the petitioner submits that petitioner is willing to report before the De Addiction Centre attached to the Government Rajaji Hospital, Madurai.

** 5.Considering the facts and circumstances of the case and also considering the facts that the petitioner was arrested on 09.08.2024 and that the case was committed and numbered as S.C.No.163 of 2024, before the Chief Judicial Magistrate, Sivagangai and considering the undertaking of the learned counsel for the petitioner that he will appear before the trial Court without fail, I am inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is



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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, Madurai;

(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 file an undertaking affidavit that the petitioner shall report before the De-addiction Centre attached to the Rajaji Government Hospital, Madurai and the Centre shall verify whether the petitioner has any habit of regularly consuming alcohol and if so, treat him as per their procedures.

**** (iii)the petitioner shall appear before the trial Court on every hearing without fail. It is made clear that if the undertaking is violated, then the bail in the present case will be cancelled;

(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



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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/-
27/08/2024

(*) (**) (***) (****)Corrected as per order
of this Court dated 28.08.2024 in CRL
OP(MD) No.14067 of 2024

/ TRUE COPY /

28/08/2024
Sub-Assistant Registrar (AD II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

NS

TO

1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION,
MADURAI CITY, MADURAI.

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



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1.THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

2.THE OFFICER INCHARGE,
DE-ADDICTION CENTRE,
RAJAJI GOVERNMENT HOSPITAL, MADURAI.

+1 CC to M/s.M.INIYAVAN, Advocate (SR-10420[I] dated 27/08/2024)

ORDER
IN

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Date :27/08/2024

RS//SAR-(27.08.2024) 5P 8C
ED/ /SAR- (28/08/2024) 5P / 9C

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