



CRL OP(MD). No.14470 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Date : 02/09/2024

PRESENT

**The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CRL OP(MD). No.14470 of 2024**

S.Akbar,

... Petitioner/ Accused No.1

Vs

**The Inspector of Police,
Thallakulam Police Station,
Madurai District
(Crime No. 757 of 2024).**

... Respondent/Complainant

**For Petitioner : M/s. Kalpana.B, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor**

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No. 757 of 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 21.07.2024 for the offences punishable under Section 379 I.P.C @ 379 and 420 I.P.C, in crime No.757 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner/ A1 had stolen his own wife's jewels and indulged in extra-marital affair with A2. Hence, the complaint.



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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 against the petitioner that he had stolen his own wife's jewels and indulged in extra-martial affair with A2 and considering the fact that the petitioner is in judicial custody from 21.07.2024, co-accused/ A2 in this case was released on bail, 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 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 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 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;



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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/-
02/09/2024

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/ 09 /2024

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

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TO

1 THE JUDICIAL MAGISTRATE
NO.II, MADURAI.

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



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3 THE INSPECTOR OF POLICE
THALLAKULAM POLICE STATION,
MADURAI DISTRICT

4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.B.KALPANA, Advocate (SR-10683[I] dated 02/09/2024)

ORDER
IN
CRL OP(MD) No.14470 of 2024
Date :02/09/2024

PSP/ /SAR /02.09.2024/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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