



CRL OP(MD). No.14757 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14757 of 2024

1. Ajithkumar

2. Rajapandi

... Petitioners/ A4 & A5

Vs

The Inspector of Police,
South Gate Police Station,
Madurai District.
Cr.No.256 of 2024.

... Respondent/Complainant

For Petitioners	:	Mr.B.Arun, Advocate.
For Respondent	:	Mr.R.M.Anbunithi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.256 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioners/Accused, who were arrested and remanded to judicial custody on 19.08.2024 for the offences punishable under Sections 191(2), 296(b), 115 (2), 118(1), 351(3) of BNS (*)and r/w Section 3(1) of TNPPDL Act, 1992, in crime No.256 of 2024, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners consumed liquor and damaged the defacto complainant's vehicle. When the same was questioned by him, the petitioner abused the defacto complainant in filthy language and assaulted him. Hence, the complaint.

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

4.Considering the nature allegations that all these petitioners formed themselves into a gang, and they are seemed to have gone into the parking area of commercial complex and considering the nature of ruckus behavior on the part of the petitioner and considering the fact that the petitioners are in judicial custody from 19/08/2024 and that there are no bad antecedents against the petitioners, I am inclined to enlarge the petitioners on bail with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the



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satisfaction of the learned Judicial Magistrate No.IV, Madurai.

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(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 petitioners shall file an undertaking affidavit, to serve as an Assistant to the cleaning staff in the Government Rajaji Hospital, Madurai, for a period of two days, and undertake cleaning of the wards and the same to be certified by the Nursing Superintendent to the Investigation Officer. Upon such undertaking, the petitioners will be enlarged on bail and the petitioners shall report before the respondent police 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 petitioners shall not tamper with evidence or witness;

(iv)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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sd/-
13/09/2024

(*)Corrected as per order of this Hon'ble Court
in CRL OP(MD).14757/2024 dated 18/09/2024
/ TRUE COPY /

18/09/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
13/09/2024

- 1 THE JUDICIAL MAGISTRATE NO.IV
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
SOUTH GATE POLICE STATION, MADURAI DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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COPY TO:

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THE DEAN,
GOVERNMENT RAJAJI HOSPITAL, MADURAI

+1 CC to M/s.B.ARUN, Advocate (SR-11281[I] dated 13/09/2024)

ORDER

IN

CRL OP(MD) No.14757 of 2024

Date :13/09/2024

SS/SAR- /13/09/2024/5P/8C

RS/SAR- /18/09/2024/5P/8C

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