



CRL OP(MD). No.16192 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16192 of 2024

M.Harithass (Minor),
Rep by His Father,
Marutharaj,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Ragunathapuram Police Station,
Thanjavur District.
Crime No. 33/2024.

... Respondent/Complainant

For Petitioner : Mr.G.Prabhu Rajadurai,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 33 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 28.06.2024 for the offence punishable under Section 302 of IPC, in Crime No.33 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the other accused are said to have murdered the deceased, who is the brother of A1. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the petitioner along with the three others took the deceased to a secluded place in the guise of drinking alcohol and thereafter, A1 being the brother of the deceased having motive against him and A2 to A4 including this petitioner being the friends of A1, attacked the deceased on the head and other parts indiscriminately and thereafter, poured kerosene on him and set fire on him and considering the facts that the investigation is completed and the case is now pending in PRC.No.5 of 2024 on the file of the learned Judicial Magistrate, Karambaikudi, and the petitioner is in custody from 28.06.2024, this Court is inclined to grant bail to the petitioner on certain conditions.



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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 Juvenile Justice Board, Pudukottai.

(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 attend all the hearings of PRC.No.5 of 2024 on the file of the learned Judicial Magistrate, Karambaikudi, and thereafter, shall attend the sessions case without fail;

(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].



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vi) If the accused thereafter abscond, a fresh FIR can be registered under
Section 229A IPC.

sd/-
25/09/2024

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25/09/2024

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

DSS

TO

- 1 THE JUVENILE JUSTICE BOARD,
PUDUKOTTAI.
- 2 THE OFFICER INCHARGE,
GOVERNMENT OBSERVATION HOME, TRICHY..
- 3 INSPECTOR OF POLICE,
RAGUNATHAPURAM POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE JUDICIAL MAGISTRATE
KARAMBAIKUDI.

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-11696[I] dated 25/09/2024)



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ORDER
IN
CRL OP(MD) No.16192 of 2024
Date :25/09/2024

SS/SAR- /25/09/2024/5P/7C

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