



CRL OP(MD). No.14827 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14827 of 2024

Nallasamy

... Petitioner/Sole Accused

Vs

The Inspector of Police,
SIPCOT Police Station,
Sivagangai District.
Crime No.90/2024

... Respondent/Complainant

For Petitioner : Mr.K.Sathish Kumar, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No.90 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 24.07.2024 for the offences punishable under Sections 296(b), 132, 351(3) of BNS and Sections 21(1-A) of Arms Act, in crime No. 90 of 2024 on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the petitioner herein abused the respondent officials in filthy language. Hence, the case.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4.Considering the nature of allegation is that when the the respondent police went to execute the non bailable warrant, the petitioner is said to have threatened the officers in the wake of the said allegations and considering the fact that the petitioner is in jail from 24/7/2024, I am inclined to enlarge the petitioner on bail.

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, Manamadurai, Sivagangai District.

(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 appear before the respondent Police as and when required for interrogation;

(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 229-A IPC.

sd/-
05/09/2024

/ TRUE COPY /

05/09/2024

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

TRP

TO

1 THE JUDICIAL MAGISTRATE, MANAMADURAI, SIVAGANGAI DISTRICT.

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

3 THE OFFICER INCHARGE, DISTRICT JAIL, RAMANATHAPURAM DISTRICT.

4 THE INSPECTOR OF POLICE, SIPCOT POLICE STATION,
SIVAGANGAI DISTRICT.

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

<https://www.hmc.tn.gov.in/judis>



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+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-10919[I] dated 05/09/2024)

ORDER

IN

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Date :05/09/2024

RS//SAR-(05.09.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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