



CRL OP(MD). No.14943 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14943 of 2024

P.Vishvaprasath @ Vishva,

... Petitioner/Sole Accused

Vs

The State State Rep.by.
The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
Crime No. 360/2024.

... Respondent/Complainant

For Petitioner : M/s.Dhilipan Pandian R L, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No. 360 of 2024 on the file of the respondent police.



CRL OP(MD). No.14943 of 2024

WEB COPY

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 20.07.2024 for the offences punishable under Sections 126(2), 132, 296(b) & 351(2) of BNS Act & Section 25(1A) of Arms Act, 1959, in Crime No.360 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is working as a Supervisor in TASMACH Shop. The petitioner is said to have abused the defacto complainant in filthy language and demanded liquor bottles for free of cost by showing a sword. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the petitioner is addicted to alcohol and does not have money, threatening the Supervisor of the bar to give him alcohol without money and considering the fact that the petitioner is in custody from 20.07.2024 and also considering the argument of the learned counsel for the petitioner that without prejudice to his contentions, he will file an undertaking affidavit that he will take treatment in the De-addiction Ward, Thanjavur Medical College Hospital and co-operate for treatment, this Court is inclined to grant bail to the petitioner on certain conditions.



CRL OP(MD). No.14943 of 2024

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 Judicial Magistrate Court, Thiruvaiyaru, Thanjavur 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) As undertaken, the petitioner shall file an affidavit before the trial Court that he will take treatment in the De-addiction Ward, Thanjavur Medical College Hospital, and co-operate for treatment;

(iii) the concerned Investigating Officer is directed to supervise the visit of the petitioner to the De-addiction Ward, Thanjavur Medical College Hospital;

(iv) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(v) the petitioner shall not tamper with evidence or witness;

(vi) the petitioner shall not abscond during trial.

(vii) 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



CRL OP(MD). No.14943 of 2024

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].

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

sd/-
06/09/2024

/ TRUE COPY /

06 / 09 / 2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE
COURT THIRUVAIYARU.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
DISTRICT PRISON, THANJAVUR,
THANJAVUR DISTRICT.

4 THE INSPECTOR OF POLICE,
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.



CRL OP(MD). No.14943 of 2024

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

COPY TO

THE OFFICER INCHARGE,
DE-ADDICTION WARD,
THANJAVUR MEDICAL COLLEGE HOSPITAL.

ORDER
IN
CRL OP(MD) No.14943 of 2024
Date :06/09/2024

PSP/ /SAR /06.09.2024/ 5P/ 7C

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