



CRL OP(MD). No.15022 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.15022 of 2024

Vicky @ Vigneshwaran,

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
Crime No. 155/2023.

... Respondent/ Complainant

For Petitioner : M/s.Vijayaraja.J, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To release the petitioner on bail remanded in Judicial Custody in S.C.No. 120 of 2024 on the file of learned Additional District Judge, Virudhunagar in connection with Crime No. 155 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ A4, who is facing a case for the offence under (*)Section 114, 115, 143, 147, 148, 149, 201, 294(b), 342, 307, 324, 452, 302, 506(ii) and 120(b) of IPC, Section 3 of TNPPDL Act, 1992 and Section 4 of TNPHW Act, 2002 in S.C.No.120 of 2024 on the file of learned Additional District Judge, Virudhunagar, in crime No.155 of 2023 on the file of the respondent police, seeks bail.



CRL OP(MD). No.15022 of 2024

2. Heard both sides.

WEB COPY

3. Considering the nature of the allegations in this case that on account of a group rivalry, the petitioner's group and the defacto complainant's group are repeatedly involving in retributory murders and also considering the fact that the petitioner is having eight previous cases, this case should be treated differently and normal rules of granting bail should be viewed differently.

4. However, only considering the facts that the petitioner is in custody from 28.07.2023, more than one year and two months are over and that the case is posted to 10.09.2024 for commencement of trial and that there are totally 109 witnesses in this case, and therefore, the completion of the trial in the near future is not possible and at the same time, so as to safeguard the life and limbs of the petitioner himself and to keep tab on him also, this Court enlarges the petitioner on bail with certain conditions.

5. Considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

6. 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 Additional District Judge, Virudhunagar.



CRL OP(MD). No.15022 of 2024

WEB COPY

(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 stay at Arulpuram, Uppilipalayam, Thirupur District and report before the Palladam Police Station daily twice at 10.30 a.m and 06.30 p.m for a period of six weeks and thereafter, for another period of six weeks daily at 10.30 a.m 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 leave the said place except for attending the hearings in court cases on which dates he has to specifically inform the concerned Palladam Police.

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

v)the petitioner shall not abscond during trial;

vi)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];

vii)If the accused thereafter abscond, a fresh FIR can be registered under



CRL OP(MD). No.15022 of 2024

Section 229A IPC.

WEB COPY

sd/-
06/09/2024

(*)Amended as per order of this Hon'ble
Court in CRL MP(MD).9721 of 2024 in
CRL OP(MD).15022 of 2024 dated
12.09.2024

/ TRUE COPY /

12/09/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
06/09/2024

1 THE ADDITIONAL DISTRICT JUDGE,
VIRUDHUNAGAR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE,
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

COPY TO:
THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
PALLADAM.



CRL OP(MD). No.15022 of 2024

+1 CC to M/s.J.VIJAYARAJA, Advocate (SR-11238[I] dated 12/09/2024)

WEB COPY

ORDER

IN

CRL OP(MD) No.15022 of 2024

Date :06/09/2024

SA/SAR. /06.09.2024/5P/7C

RS/SAR. /12.09.2024/5P/7C

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