



CRL OP(MD). No.15093 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15093 of 2024

Surendiran

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Austinpatti Police Station,
Thirumangalam,
Madurai District.
Cr.No.227 of 2021.

... Respondent/Complainant

For Petitioner : Mr.A.Balaji, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For bail in Crime No.227 of 2021 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 12.08.2024 for the offences punishable under Sections 302 of IPC altered into Sections 342, 302 and 120B of IPC in PRC No.01 of 2022, in crime No.227 of 2021, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that due to previous enmity between the parties, the petitioner along with other accused assaulted the defacto complainant and his deceased son. Hence, the complaint.

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

4.Considering the nature of allegation and considering the fact that the Non-bailable Warrant was issued on 11.12.2023 and the same was executed on 12.08.2024 and the petitioner is in custody from 12.08.2024 and also considering the submissions made by the learned Counsel for the petitioner that the petitioner went to Kerala as a coolie worker and he is a permanent resident of Chekkanurani and he will attend all the hearings without fail, I am inclined to enlarge the petitioner on bail with certain conditions.

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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumangalam.

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.



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fail.

[b] the petitioner shall report before the trial Court on all hearing dates without

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/09/2024

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09/09/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr
TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.



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3 THE INSPECTOR OF POLICE, AUSTINPATTI POLICE STATION,
THIRUMANGALAM, MADURAI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.A.BALAJI, Advocate (SR-11062[I] dated 09/09/2024)

ORDER
IN

CRL OP(MD) No.15093 of 2024

Date :09/09/2024

PSP//SAR-(09.09.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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