



CRL OP(MD). No.15286 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. K.Pandidurai @ Aiyavu
2. Ajith @ Ajithkumar
3. S.Rajukumar
4. Aathi @ Aathiththiyan

... Petitioner/Petitioner/ Accused-1,3,4 & 5

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
W-1 Thirunagar Police Station,
Madurai District.
Crime No. 376/2024

... Respondent/Complainant

For Petitioners : Mr.K.Sankar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.376/2024 on the file of the respondent police



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ORDER: The Court made the following order :-

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The petitioners/ Accused, who are arrested and remanded to judicial custody on 15.07.2024 for the offence punishable under Sections 191(2), 191(3), 61(2), 111, 296(b), 109, 324(4) of BNS and Section 25(1A) of Arms Act 1959, in Crime No.376 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous motive, the petitioners abused the defacto complainant in filthy language and attacked him and caused injury. Hence, the complaint.

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

4.Insofar as the petitioners 1 and 4 are concerned, considering the fact that the petitioners 1 and 4 are already detained under the Goondas Act, this bail application stands dismissed.

5.Insofar as the petitioners 2 and 3 are concerned, considering the submission made by the learned Counsel for the petitioners that since the main accused



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involved in the threat are already detained under the Goondas Act and considering the nature of previous cases against the petitioners 2 and 3 and also considering the fact the petitioners 2 and 3 are in judicial custody from 15.07.2024, I am inclined to enlarge the petitioners 2 and 3 on bail with certain conditions.

6. Accordingly, this Criminal Original Petition is partly allowed and the petitioners 2 and 3 are 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 Court No.VI, Madurai;

(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 petitioners 2 and 3 shall stay at Thanjavur and shall appear before the Inspector of Police, Thanjavur Medical College Police Station, Thanjavur District, daily at 10.30 am, for a period of four weeks and thereafter, as and when required for interrogation.

(iii) the petitioners 2 and 3 shall not tamper with evidence or witness;



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iv)the petitioners 2 and 3 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 229A IPC.

sd/-
11/09/2024

/ TRUE COPY /

11/09/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

TO

1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE, W-1,
THIRUNAGAR POLICE STATION, MADURAI DISTRICT.

4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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

COPY TO:

THE INSPECTOR OF POLICE
THANJAVUR MEDICAL COLLEGE POLICE STATION,
THANJAVUR DISTRICT.

+1 CC to M/s.K.SANKAR, Advocate (SR-11213[I] dated 11/09/2024)

ORDER
IN

CRL OP(MD) No.15286 of 2024

Date :11/09/2024

SS/SAR- /11/09/2024/5P/8C

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