



CRL OP(MD). No.15257 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CRL OP(MD). No.15257 of 2024

R.Kaviyarasu @ Kaviyaran

... Petitioner/ Accused No.8

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Anna Nagar Police Station,
Madurai City.
(Crime No. 790 of 2023.)

... Respondent/ Complainant

For Petitioner : M/s.A.Balaji, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in connection with S.C.No. 476 of 2024 on the file of the Principal Sessions Judge, Madurai in connection with Crime No. 790/2023 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 147, 148, 342, 294(b), 307 and 302 IPC @ 120B, 147, 148, 342, 294(b), 307, 302 and 109 IPC in SC.No.476 of 2024



CRL OP(MD). No.15257 of 2024

in crime No. 790 of 2023 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner herein along with other accused committed the murder of the deceased. 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 allegations against the petitioner on account of the illegal dealing in PDS rice, enmity was developed and the petitioner is involved in the murder of the deceased and considering the fact that pending investigation the petitioner was not arrested and an absconding charge sheet is filed and the petitioner voluntarily surrendered before the respondent Police on 12.08.2024 and considering the argument of the learned counsel for the petitioner that the petitioner will attend the S.C.No.476 of 2024 without fail for all hearings, 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 No.VI, Madurai.

(i)the sureties shall affix their photographs and left thumb impression in the



CRL OP(MD). No.15257 of 2024

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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 per undertaken, the petitioner shall file an affidavit of undertaking that he will attend all the hearings before the concerned Court without fail;

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

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/-
10/09/2024

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10/09/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



CRL OP(MD). No.15257 of 2024

To

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1.The Judicial Magistrate No.VI,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Anna Nagar Police Station,
Madurai City.

4.The Superintendent,
Central Prison, Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.15257 of 2024

Date :10/09/2024

ED/ /SAR- (10/09/2024) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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