



CRL OP(MD). No.15276 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15276 of 2024

K.Sambath

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District
(Crime No. 755 of 2024).

... Respondent/ Complainant

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

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

For intervenor : Mr.Senthil kumar, Advocate

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 755 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 02.09.2024 for the offences punishable under Sections 296(b), 115(2), 324(4), 326(g), 329(3) and 351(3) of BNS and under Section 4 of TNPHW Act in crime No. 755 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to civil dispute, the petitioner herein and other accused trespassed into the house of the defacto complainant and caused damages to the vehicle and also threatened him with dire consequences. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and the learned counsel for the intervenor and perused the materials available on record.

4. Considering the nature of allegations against the petitioner that on account of the dispute between the petitioner and the defacto complainant the defacto complainant's bike was set on fire and other articles were damaged and the fact that the petitioner is in prison from 02.09.2024 and that there are no other bad antecedents



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against the petitioner, I am inclined to enlarge the petitioner on bail.

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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 Additional Mahila Judge, Thanjavur, 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)the petitioner shall stay at Madurai and report before the Anna Nagar Police Station daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation before the respondent Police.

(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



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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/-
18/09/2024

/ TRUE COPY /

18/09/2024
Sub-Assistant Registrar (CS-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE ADDITIONAL MAHILA JUDGE, THANJAVUR, THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT @ KUMBAKONAM.
3. THE OFFICER IN CHARGE, DISTRICT PRISON, THANJAVUR.
4. THE INSPECTOR OF POLICE,
AYYAMPETTAI POLICE STATION,
THANJAVUR DISTRICT



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

COPY TO

THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION
MADURAI.

ORDER
IN
CRL OP(MD) No.15276 of 2024
Date :18/09/2024

RK (18/09/2024) 5P / 7C

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