



CRL OP(MD). No.15340 of 2024

WEB COPY

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.15340 of 2024

Sanjay

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Kayathar Police Station,
Thoothukudi District
(Crime No. 229 of 2024).

... Respondent/ Complainant

For Petitioner : M/s. Suyambulinga Bharathi.K.,
Advocate.

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

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

PRAYER :- For Bail in Crime No. 229 of 2024 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 16.07.2024 for the offences punishable under Sections 126(2), 296(b), 118(1), 109(1),



CRL OP(MD). No.15340 of 2024

103(1) and 351(3) BNS, 2023, in crime No.229 of 2024 on the file of the respondent police, seeks bail.

WEB COPY

2.The case of the prosecution is that due to property dispute between the parties, the petitioner along with other accused attacked the son of the defacto complainant with Aruval, wooden log etc., and caused his death. Hence, the complaint.

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

4. Considering the facts and circumstances of the case and also considering the nature of allegation in this case that A2, being the brother of the de facto complainant, on account of the property dispute, A1 to A4 attacked the son of the de facto complainant with Aruval, wooden stick etc., and caused his death and considering the fact that the petitioner is 18 years old, without any antecedents and college student and is in prison from 16.07.2024, I am inclined to enlarge the petitioner on bail with certain conditions.



CRL OP(MD). No.15340 of 2024

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is
WEB COPY

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.II, Kovilpatti;

(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 report before the respondent police daily at 6.30 p.m., for a period of three weeks 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 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



CRL OP(MD). No.15340 of 2024

learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
WEB COPY
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/-
18/09/2024

/ TRUE COPY /

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

LS

TO

1. THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.



CRL OP(MD). No.15340 of 2024

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

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-11366[I] dated
18/09/2024)

ORDER
IN
CRL OP(MD) No.15340 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
17/07/2023