



CRL OP(MD). No.15342 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.15342 of 2024

Prakash

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Town Police Station,
Pudukottai.
Crime No. 181/2024.

... Respondent/Complainant

For Petitioner : Mr.Uma Maheswaran.U, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No. 181 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 14.07.2024 for the offences punishable under Sections 109, 296(b) BNS @ Sections 103(1), 296(b), 3(5), 49, 61(2) BNS, 2023, in crime No.181 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that due to land dispute between the parties, the petitioner along with other accused assaulted the deceased, due to which, he died.

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 fact that the dispute arose with reference to parties of a particular land and all the accused indiscriminately attacked the deceased and immediately the deceased was taken to the hospital and the deceased, thereafter succumbed to the injuries and considering the fact that the petitioner has got no other bad antecedents and that he is in jail from 14.07.2024, I am inclined to grant bail to the petitioner on 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.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Pudukkottai;

(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 District and shall report before the



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Inspector of Police, Annanagar Police Station, Madurai, daily at 10.30 a.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 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/-
18/09/2024

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18/09/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS



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TO

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.I, PUDUKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE, TOWN POLICE STATION, PUDUKOTTAI.

4 THE SUPERINTENDENT, CENTRAL PRISON, PUDUKKOTTAI.

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

COPY TO

THE INSPECTOR OF POLICE
ANNANAGAR POLICE STATION, MADURAI.

+1 CC to M/s.U.UMAMAHESWARAN, Advocate (SR-11352[I] dated 18/09/2024)

ORDER

IN

CRL OP(MD) No.15342 of 2024

Date :18/09/2024

RS//SAR-(18.09.2024) 4P 8C

Madurai Bench of Madras High Court is issuing
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