



CRL OP(MD). No.15461 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15461 of 2024

1. Boopathi,

2. Santhosh,

... Petitioners/ Accused Nos.1&2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Cr.No.470/2024).

... Respondent/Complainant

For Petitioners : Mr.M.Boopathipandiyan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.470 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 petitioners/ A1&A2, who were arrested and remanded to judicial custody on 31.08.2024 for the offences punishable under Sections 25(1A) of Arms Act, 1959 r/w Section 4 of TN Prohibition of Harassment of Women Act, 2002 and 115(2), 191(2), 191(3), 296(b), 351(3) of BNS, 2023, in Crime No.470 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the husband of the defacto complainant is running a hotel. Due to previous enmity, the petitioners along with other co-accused are said to have trespassed into the hotel of the defacto complainant's husband and enquired about her husband. When the same was questioned by one Manimaran, who is the employee of the hotel, they abused him and the defacto complainant in filthy language and threatened them with dire consequences by showing deadly weapons. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the major offence is 506(ii) IPC



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and also considering the fact that the petitioner is in jail from 31.08.2024, this Court is inclined to grant bail to the petitioners on certain conditions.

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5. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru, 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

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

iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
13/09/2024

/ TRUE COPY /

13/09/2024
Sub-Assistant Registrar (AD II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

- 1 THE JUDICIAL MAGISTRATE
THIRUVAIYARU THANJAVUR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI..



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4 THE INSPECTOR OF POLICE,
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.M.BOOPATHI PANDIYAN, Advocate (SR-11312[I] dated
13/09/2024)

ORDER
IN
CRL OP(MD) No.15461 of 2024
Date :13/09/2024

SS/SAR- /13/09/2024/5P/7C

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