



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 20/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15536 of 2024

1. Thangavel  
2. Erulappan

... Petitioners/ Accused Nos.1&3

Vs

The State of Tamilnadu,  
Rep by the Inspector of Police,  
Keelarajakularaman Police Station,  
Virudhunagar District.  
Crime No.132 of 2024..

... Respondent/ Complainant

For Petitioner : M.Selvam,  
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.132 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A3, who were arrested and remanded to judicial custody on 08.07.2024 for the offences punishable under Sections 103, 126(2), 281, 351(3) of

BNS, in Crime No.132 of 2024 on the file of the respondent police, seek bail.

<https://www.mhc.tn.gov.in/judis>



2. The case of the prosecution is that it is a case of retaliation. The deceased Ponnusamy already had enmity with the petitioners' family. Due to which, the petitioners along with other accused are said to have dashed the deceased with a Tractor and thereafter, attacked him with aruval and caused death. Hence, the complaint.

3. Heard both sides.

4. Considering the nature of the allegations that earlier there was an occurrence wherein the defacto complainant is said to have attacked the accused and thereby, a case has already been registered against the accused, and in retaliation, the accused have attacked the defacto complainant, which is a planned murder, and considering the fact that the petitioners were arrested on 23.07.2024 and that the investigation is almost completed and there are no other antecedents in respect of these petitioners, this Court is inclined to grant bail to the petitioners on certain conditions.

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 Judicial Magistrate Court, Rajapalayam, Virudhunagar 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 stay at Madurai and report before the Anna Nagar Police Station, Madurai, 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 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/-  
20/09/2024

/ TRUE COPY /

20/09/2024  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE  
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

<https://www.mhc.tn.gov.in/judis>



2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,  
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,  
DISTRICT JAIL, VIRUDHUNAGAR..

4 THE INSPECTOR OF POLICE,  
KEELARAJAKULARAMAN POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,  
ANNA NAGAR POLICE STATION, MADURAI,

+1 CC to M/s.M.SELVAM, Advocate ( SR-11507[I] dated 20/09/2024 )

ORDER

IN

CRL OP(MD) No.15536 of 2024

Date :20/09/2024

MK/20.09.2024 4P/8C

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