



CRL OP(MD). No.15476 of 2024

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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.15476 of 2024

Manikandan,

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,,
Rep by the Inspector of Police,
Kallaperambur Police Station,
Thanjavur District.
(Crime No.166 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian R L,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime no.166 of 2024 on the file of the Respondent Police
ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on

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



CRL OP(MD). No.15476 of 2024

18.08.2024 for the offence punishable under Section 310(2) of BNS, in crime No.166 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner and the other accused persons are said to have threatened the defacto complainant and the victim and obtained a sum of Rs.3,000/- through Gpay and took their mobile phone. Hence, the complaint.

3.Heard both sides.

4. Considering the nature of the allegations that the petitioner along with the other accused in a drunken mood, threatened the defacto complainant and the victim and also robbed a sum of Rs.3000/- by forcing him to pay through G-pay and only considering the facts that the petitioner does not have any previous antecedent and that he is in jail from 18.08.2024, and also considering the argument of the learned counsel for the petitioner that without prejudice to his contentions, he will file an undertaking affidavit that he will take treatment in the De-addiction Ward, Thanjavur Medical College Hospital and co-operate for treatment, this Court is 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



CRL OP(MD). No.15476 of 2024

Judicial Magistrate No.II, Thanjavur District.

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(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) As per the undertaking given by the petitioner, the petitioner shall file an affidavit before the trial Court that he will take treatment in the De-addiction Ward, Thanjavur Medical College Hospital, and co-operate for treatment;

(iii) the concerned Investigating Officer is directed to supervise the visit of the petitioner to the De-addiction Ward, Thanjavur Medical College Hospital;

(iv) the petitioner 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;

(v) the petitioner shall not tamper with evidence or witness;

vi) the petitioner shall not abscond during trial.

vii) 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].



CRL OP(MD). No.15476 of 2024

viii) If the accused thereafter abscond, a fresh FIR can be registered under

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Section 229A IPC.

sd/-
20/09/2024

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

DSS

TO

1 THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT JAIL, THANJAVUR.

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

COPY TO:

THE OFFICER INCHARGE,
DE-ADDICTION WARD,
THANJAVUR MEDICAL COLLEGE HOSPITAL,
THANJAVUR DISTRICT.



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CRL OP(MD). No.15476 of 2024

ORDER
IN
CRL OP(MD) No.15476 of 2024
Date :20/09/2024

SA/SAR. /20.09.2024/5P/7C

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