



CRL OP(MD). No.15557 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.15557 of 2024

Nithish Kumar,

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Jayamangalam Police Station,
Theni District.
Crime No. 157/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Muniyandi,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 157 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



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19.08.2024 for the offences punishable under Sections 296(b), 132, 109, 351(3) of BNS, 2023 and Section 25(1A) of Arms Act,, in crime No.157 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused are said to have waylaid the vehicles at Jeyamangalam to Vaigai Dam Road and tried to collect money from the public by showing aruval. When the same was questioned by the defacto complainant, they also threatened him. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the the petitioner wielding weapons and threatening everybody in the public including the police party and also considering the facts that there was no injury and the petitioner is in jail from 19.08.2024, 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



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Judicial Magistrate, Periyakulam.

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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)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;

(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].



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vi) If the accused thereafter abscond, a fresh FIR can be registered under
Section 229A IPC.

sd/-
13/09/2024

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

DSS

TO

1 THE JUDICIAL MAGISTRATE
PERIYAKULAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THENI..

4 THE INSPECTOR OF POLICE,
JAYAMANGALAM POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-11292[I] dated 13/09/2024)



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ORDER
IN
CRL OP(MD) No.15557 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