



CRL OP(MD). No.16377 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16377 of 2024

**1. Sarathkumar,
2. Lakshmi,**

... Petitioners/ A1 & A2

Vs

**The State of Tamil Nadu,
The Inspector of Police,
Koodakovil Police Station,
Madurai District.
(Crime No.94 of 2024)**

... Respondent/Complainant

**For Petitioners: M/s.R.Sundar, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor**

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.94 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/ A1&A2, who were arrested and remanded to judicial custody on



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05.07.2024 for the offences punishable under Sections 296, 118(i), 109, 103, 49, 115 of BNS Act, 2023, in Crime No.94 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to the dispute in drawing water from a public tap, the petitioner and the other accused are said to have attacked the husband of the defacto complainant and caused death. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the occurrence pursuant to the dispute that arose in respect of drawing water from a public tap, the petitioners are said to have attacked the deceased and caused his death, and considering the facts that the petitioners are in custody from 05.07.2024 and that the investigation is almost completed and that the petitioners do not have any other antecedents, 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, Thirumangalam.

(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;



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(ii) in view of the fact that the petitioners and the victim are the neighbours, the petitioners shall stay at Vallam, Thanjavur and report before the Vallam police station 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/-
27/09/2024

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27 / 09 /2024

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



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TO

1 THE JUDICIAL MAGISTRATE
THIRUMANGALAM.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI..

4 THE INSPECTOR OF POLICE,
KODAKOVIL POLICE STATION,
MADURAI DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE,
VALLAM POLICE STATION,
VALLAM, THANJAVUR.

+1 CC to M/s.R.SUNDAR, Advocate (SR-11890[I] dated 27/09/2024)

ORDER
IN
CRL OP(MD) No.16377 of 2024
Date :27/09/2024



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