



CRL OP(MD). No.16086 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16086 of 2024

1. Manikandan
2. Sonaimuthu

... Petitioners/ Accused No.2 & 3

Vs

The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
Crime No. 414/2024.

... Respondent/Complainant

For Petitioners : Mr.S.Sankar, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No. 414 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested and remanded to judicial custody on 15.09.2024 for the offences punishable under Sections 296(b), 115(2), 118(1), 351 (3) BNS, 2023, in crime No.414 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner while riding a two wheeler

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was spitting and that fell on the by-passer, who was the learned member of the bar and when he confronted, the petitioner hit the Advocate. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the facts and circumstances of the case and considering the nature of allegation that the petitioner while riding a two wheeler was spitting and that fell on the by-passer, who was the learned member of the bar and when he confronted, the petitioner hit the Advocate and that it is a case and counter and that the petitioner is arrested on 15.09.2024 and that the injured was discharged from the hospital on 16.09.2024, I am inclined to enlarge the petitioner on bail with certain conditions.

5. Accordingly, this Criminal Original Petition is allowed. It is stated that in the concerned bar, the petitioner is prevented from filing bail application or executing the security. Let the petitioner surrender himself before the Judicial Magistrate No.1 Madurai and the shall execute sureties and after execution of the securities, the paper shall be transmitted to the concerned jurisdictional Magistrate Court ie., Judicial Magistrate, Vendasandur. 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



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No.1 Madurai;

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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 undertaken, the petitioners shall work as assistants to the floor cum bathroom cleaner in the Government Hospital, in General Ward, Dindigul, for three working days and the said fact can be reported to the Investigating officer;

(iii) 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. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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].



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

sd/-
23/09/2024
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23/09/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

- 1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE JUDICIAL MAGISTRATE, VEDASANDUR.
- 4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 5 THE INSPECTOR OF POLICE, VADAMADURAI POLICE STATION,
DINDIGUL DISTRICT.
- 6 THE OFFICER INCHARGE, SUB JAIL, VEDASANDUR.
- 7 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE DEAN, GOVERNMENT HOSPITAL, DINDIGUL.

+1 CC to M/s.S.SANKAR, Advocate (SR-11609[I] dated 23/09/2024)



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ORDER

IN

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Date :23/09/2024

RS//SAR-(23.09.2024) 5P 10C

Madurai Bench of Madras High Court is issuing
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