



CRL OP(MD). No.15843 of 2024

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.15843 of 2024

1. Paramasivam,

2. Prabu @ Prabhu,

... Petitioners/ Accused No.1&4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
T. Kallupatti Police Station,
Madurai District.
Crime No. 192/2024..

... Respondent/Complainant

For Petitioners : M/s.Sureshkumar.P,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.



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PRAYER :-
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For Bail in Crime No.192 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A4, who were arrested and remanded to judicial custody on 27.08.2024 for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 127, 109, 351(3) of BNS, in Crime No.192 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant and the accused persons are close relatives. During the funeral procession of the defacto complainant's father-in-law, he tried to do his last funeral rites to the deceased. At that time, the accused persons are said to have prevented him from doing last rituals. Further, they abused him in filthy language and also attacked him with a wooden log. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that is said to have happened during



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the funeral procession and considering the facts that the matter relates to case and counter and the petitioners are in custody from 27.08.2024, 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 learned Judicial Magistrate, Peraiyur.

(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 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 petitioners shall not tamper with evidence or witness;

iv) the petitioners shall not abscond during trial.



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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

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

DSS

TO

1. The Judicial Magistrate, Peraiyur.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Superintendent, Central Prison, Madurai..
4. The Inspector of Police,
T.Kallupatti Police Station, Madurai District.



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.SURESH KUMAR, Advocate (SR-11485[I] dated 20/09/2024)

ORDER
IN
CRL OP(MD) No.15843 of 2024
Date :20/09/2024

RK (20/09/2024) 5P / 7C

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