



CRL OP(MD). No.15964 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.15964 of 2024

Subash,

... Petitioner/ Accused 8

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Avaniyapuram Police Station,
Cr. No. 509/2024,
Madurai District.

... Respondent/ Complainant

For Petitioner : M/s.Chandrabose.M,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.509 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

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

on 22.07.2024 for the offences punishable under Sections 103(1) BNS @ 103 (1) and 61

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



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(2) BNS, 2023, in crime No.509 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that due to previous enmity, the the petitioner along with the other accused conspired and abducted the deceased and caused his death. 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 on account of group rivalry, the petitioner along with the other accused conspired and abducted the deceased and caused his death and considering the allegation against this petitioner, being the Accused No.8, surrounded the accused and prevented him from escaping and considering the fact that the petitioner is in judicial custody from 22.07.2024, I am inclined to enlarge the petitioner on bail with 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 learned Judicial Magistrate No.VI, Madurai;

(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



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card or Bank Pass Book to ensure their identity;

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(ii)the petitioner shall stay at Kulithalai and shall report before the Inspector of Police, Kulithalai Police Station, Kulithalai, 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 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].

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

sd/-
23/09/2024

/ TRUE COPY /

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



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LS
TO
WEB COPY

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

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

COPY TO:

THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION,
KULITHALAI.

+1 cc to Mr.M.CHANDRABOSE, Advocate, SR.No.11617 (I) Dt.24/09/2024



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ORDER IN
CRL OP(MD) No.15964 of 2024
Date :23/09/2024

SA/SAR. /23.09.2024/5P/8C

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