



CRL OP(MD). No.15954 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.15954 of 2024

Maheswari

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
Crime No. 132/2024.

... Respondent/Complainant

For Petitioner : Mr.E.Mareeskumar, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No. 132 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 20.08.2024 for the offences punishable under Sections 296(b), 115(2), 351 (2) BNS, 2023 and r/w. Section 4 of TNPHW Act, altered into Sections 296(b), 105, 351(2) BNS, r/w. Section 4 of TNPHW Act, in crime No.132 of 2024 on the file of the respondent



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police, seeks bail.

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2. The case of the prosecution is that due to wordy quarrel between the parties, the petitioner pushed the defacto complainant and thereby, the deceased died. 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 due to the altercation between the petitioner and the de facto complainant, the petitioner pushed down the deceased and the deceased died on account of the same, and considering the fact that the petitioner is in judicial custody from 20.08.2024, 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.I, Sivakasi ;

(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) Since the petitioner is a neighbour, the petitioner shall stay at Madurai and shall report before the Inspector of Police, Government Rajaji Hospital Police Station, Madurai, 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

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23/09/2024

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

LS



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TO

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1 THE JUDICIAL MAGISTRATE NO.I, SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, MARANERI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, MADURAI.

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

COPY TO

THE INSPECTOR OF POLICE
GOVERNMENT RAJAJI HOSPITAL POLICE STATION, MADURAI.

+1 CC to M/s.E.MAREESKUMAR, Advocate (SR-11606[I] dated 23/09/2024)

ORDER

IN

CRL OP(MD) No.15954 of 2024

Date :23/09/2024

RS//SAR-(23.09.2024) 4P 8C

Madurai Bench of Madras High Court is issuing
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