



CRL OP(MD). No.15966 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.15966 of 2024

Prasanth @ Duraisami

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kulithalai Police Station,
Karur District.
Cr.No.556 of 2024

... Respondent/Complainant

For Petitioner : Mr.K.Arunraj, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No.556 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 08.09.2024 for the offences punishable under Sections 309(4) and 311 of the Bharatiya Nyaya Sanhita (BNS), 2023, in crime No.556 of 2024 on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the petitioner is said to have waylaid the defacto complainant and robbed a sum of Rs.2,000/- from his shirt pocket by threatening him. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the petitioner is said to have threatened the defacto complainant and robbed a sum of Rs.2,000/- and the said defacto complainant also being present before this court and submitting that no such incident actually took place, and the learned counsel for the petitioner submitting that merely because the petitioner has got previous cases, this case is foisted against the petitioner, this Court is inclined to grant bail to the petitioner on 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 Judicial Magistrate No.II, Kulithalai.

(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 petitioner shall report before the respondent police as and when required



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for interrogation;

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(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 abscond, 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.

DSS
TO

1 THE JUDICIAL MAGISTRATE NO.II KULITHALAI.

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

3 THE OFFICER INCHARGE, SUB JAIL, KULITHALAI.

4 THE INSPECTOR OF POLICE, KULITHALAI POLICE STATION,
KARUR DISTRICT.

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



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

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-11597[I] dated 23/09/2024)

ORDER
IN

CRL OP(MD) No.15966 of 2024

Date :23/09/2024

RS//SAR-(23.09.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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