



CRL OP(MD). No.16217 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16217 of 2024

1. Gowtham,

2. Velusamy,

... Petitioners/ Accused No.2 & 3

Vs

The State of Tamilnadu Rep By,
The Inspector of Police
Kayathar Police Station, Thoothukudi District
(Crime No. 229 of 2024).

... Respondent/Complainant

For Petitioner : M/s. Suyambulinga Bharathi.K.,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
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. 229 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 16.07.2024 for the offences punishable under Sections 126(2), 296(b), 118(1), 109(1), 103(1) and 351(3) of BNS 2023 in crime No.229 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to property dispute, the petitioners herein and other accused have attacked the son of the defacto complainant with Aruval and wooden log and caused his death. Hence, the complaint.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

4.Considering the facts and circumstances of the case and the nature of allegations that A2 being the brother of de facto complainant on account of the property dispute with the help of other accused have attacked the son of the de facto



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complainant with aruval and wooden stick and caused his death and considering the fact that the petitioners are in custody from 16/7/2024 and that the investigation is almost over, I am inclined to enlarge the petitioners on bail.

6. 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 common sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kovilpatti.

(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 appear before the respondent Police daily at 10.30 am 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
26/09/2024

/ TRUE COPY /

26/09/2024
Sub-Assistant Registrar (PA-I/ AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate No.II, Kovilpatti.
2. Do-Through The Chief Judicial Magistrate,
Tuticorin District.
3. The Superintendent, Central Prison, Palayamkottai, Tirunelveli.



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4.The Inspector of Police

Kayathar Police Station, Thoothukudi District

5. The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-11828[I] dated 26/09/2024)

ORDER

IN

CRL OP(MD) No.16217 of 2024

Date :26/09/2024

RK (26/09/2024) 5P / 7C

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