



CRL OP(MD). No.16095 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16095 of 2024

Vignesh @ Vikky,

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Sholavandan Police Station,
Madurai District.
Cr.No.197 of 2024.

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C./483 of BNSS

PRAYER :-

For Bail in Crime No.197 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on



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05.09.2024 for the offences under Sections 296(b), 132 and 351(3) of BNS, 2023, Section 4 of TNPHW Act and Section 3 of TN MSP @ MSI Act in Crime NO.197 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the defacto complainant, who is working as a Government Doctor at Sholavandan, Government Hospital, had provided treatment to one Rajapandi, who was in a critical condition and in a drunken mood, at that time, the petitioner and the other accused came in a drunken mood, abused the defacto complainant in filthy language and also threatened her with dire consequences.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the nature of allegations that the petitioner who came in a drunken mode, threatened the defacto complainant, who is the Doctor on duty, to immediately commence treatment to the accident victim, who is also said to have been in an inebriated mood and only considering the fact that the petitioner is in custody from 05.09.2024, I am inclined to enlarge the petitioner on bail, subject to the following conditions:

5.Since the petitioner is said to have come to the hospital in an inebriated mood, I am also inclined to enlarge the petitioner on bail on condition that he should



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cooperate for the treatment regarding de-addiction of alcohol before the Government Rajaji Hospital De-addiction Centre in Madurai.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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, Vadipatti, Madurai District, and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] Since it is alleged that the petitioner has addiction relating to alcohol and if it is found that he is regular in the habit and then treatment shall be at the De-addiction Centre at Government Rajaji Hospital, Madurai and the petitioner to co-operate for the treatment and the said fact shall be reported to the Investigating officer.

[d] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period three weeks and thereafter, as and when required for interrogation.

[e] the petitioner shall not commit any offences of similar nature.

[f] the petitioner shall not abscond either during investigation or trial.



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[g] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[h] On breach of any of the aforesaid conditions, the learned Judicial 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].

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
25/09/2024

/ TRUE COPY /

25/09/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI DISTRICT.

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



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3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

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

COPY TO:

1 THE OFFICER INCHARGE,
DEADDICTION CENTRE, GOVERNMENT RAJAJI HOSPITAL,
MADURAI.

2 THE DEAN
GOVERNMENT RAJAJI HOSPITAL, MADURAI.

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-11737[I] dated
25/09/2024)

ORDER
IN

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Date :25/09/2024

SS/SAR- /25/09/2024/5P/9C

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