



CRL OP(MD). No.16087 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

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Kanthan,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.
Crime No.437 of 2024.

... Respondent/Complainant

For Petitioner : Mr.T.Leninkumar,
Advocate.

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

PETITION FOR BAIL Under Sec. 483 of BNSS

PRAYER :- For Bail in Crime No.437 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 02.09.2024 for the offences under Sections 296(b), 311 and 351(3) of BNS



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2023 and Section 25(1A) of the Arms Act in Crime No.437 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 threatened the defacto complainant, Suresh, aged about 24 years, son of Vailmuthu and robbed a sum of Rs.500/- from him.

3.Today when the matter came up for admission, the said defacto complainant himself is present and he states that he does not even know who the accused persons are and no such occurrence has taken place.

4.The learned counsel for the petitioner submits that this is a put up case and only increases the number of cases pending against the petitioner, the case is foisted against the petitioner.

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

6.Considering the submission made by the defacto complainant himself who is present before the court and considering the above submission, the petitioner is enlarged on bail, subject to the following conditions:

[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



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No.III, Tirunelveli, and on further conditions that:

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[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] the petitioner shall report before the respondent police as and when required for interrogation.

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

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

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

[g] 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].

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

7.A copy of this order shall also be placed before the Superior Officer/The Superintendent of Police or the Commissioner of Police, Thanjavur District, for



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appropriate action. The Superior Officer shall first take care of the safety of the defacto complainant as well as the petitioner, who should not be victimized for coming before this court and giving a statement.

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 NO.III
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
GANGAIKONDAN POLICE STATION,
TIRUNELVELI DISTRICT.

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

COPY TO:

1 THE SUPERINTENDENT OF POLICE,
THANJAVUR DISTRICT.

2 THE COMMISSIONER OF POLICE,
THANJAVUR DISTRICT.

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



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+1 CC to M/s.T.LENINKUMAR, Advocate (SR-11699[I] dated 25/09/2024)

ORDER
IN
CRL OP(MD) No.16087 of 2024
Date :25/09/2024

SA/SAR. /25.09.2024/5P/9C

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