



CRL OP(MD). No.16153 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.16153 of 2024

Ganesh @ Sani Ganesan,

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep.By The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District,
(Crime No.374 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.K. M.Karunakaran,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.374 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



CRL OP(MD). No.16153 of 2024

26.08.2024 for the offences under Sections 296(b) of BNS 2023 r/w 25(1-A) of Arms Act, 1959 in Crime No.374 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 and the other accused were found in possession of aruval to threaten the general public.

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

4.Considering the nature of allegations against the petitioner that the petitioner along with the other accused wielded dangerous weapon and were threatening the public when the police party arrived at the scene and considering the fact that the petitioner is in custody from 26.08.2024, I am inclined to grant bail to the petitioner, 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 NO.2, Thanjavur, and on further conditions that:



CRL OP(MD). No.16153 of 2024

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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 daily at 10.30 a.m. for a period three weeks and thereafter, 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].



CRL OP(MD). No.16153 of 2024

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

sd/-
25/09/2024

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25/09/2024

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

SJI
TO

- 1 THE JUDICIAL MAGISTRATE NO.2
THANJAVUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.
- 4 THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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CRL OP(MD). No.16153 of 2024

ORDER
IN
CRL OP(MD) No.16153 of 2024
Date :25/09/2024

SS/SAR- /25/09/2024/5P/6C

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