



CRL OP(MD). No.16859 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16859 of 2024

Vijayakumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Rajakkamangalam Police Station,
Rajakkamangalam,
Kanniyakumari District,
Crime No.8/2022.

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.8/2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on
07.07.2024 for the offence punishable under Sections 294(b), 324, 506(ii) @ 294(b), 506



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(ii), 302 of IPC, in Crime No.8 of 2022 on the file of the respondent police, seek bail.

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2.The case of the prosecution is that the deceased was married to the petitioner before five years and the petitioner often used to assault the deceased in a drunken mood and on 23.12.2021 at about 07.45 p.m., the petitioner assaulted the deceased in her chest, abused her and threatened her and the deceased informed the defacto complainant about the incident and the defacto complainant took the deceased to the hospital and subsequently, she died. Hence, the case.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the fact that the petitioner was earlier granted bail, however, he did not appear before the trial Court on 10.06.2024 and that the non-bailable warrant was issued and in execution thereof, the petitioner was taken into custody from 07.07.2024, I am inclined to enlarge the petitioner on bail with 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 learned Additional Sessions Court (Fast Track Court)Kanniyakumari District at Nagercoil.



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(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 trial Court on all the hearing dates without fail;

(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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/10/2024

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03/10/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR



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To

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- 1.The Additional Sessions Judge,
Additional Sessions Court (Fast Track Court),
Kanniyakumari District at Nagercoil.
- 2.The Inspector of Police,
Rajakkamangalam Police Station,
Rajakkamangalam, Kanyakumari District.
- 3.The Officer Incharge,
District Jail, Nagercoil,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.16859 of 2024

Date :03/10/2024

ED/ /SAR- (03/10/2024) 4P / 5C

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