



CRL OP(MD). No.16852 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

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1. Sonaimuthu
2. Thirumurugan
3. Thangaraj

... Petitioners/ Accused rank No.1,2 and 4

Vs

The Inspector of Police,
Palaiyanur Police Station,
Sivagangai District.
Cr.No.61 of 2024.

... Respondent/Complainant

For Petitioners : Mr.V.Selvakumar
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in Crime No.61 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



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13.08.2024 for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 324(5), 351(3), and 109 of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act altered into 191(2), 191(3), 296(b), 351(3) and 105 of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in crime No.61 of 2024, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to parking dispute between the parties, the petitioners have abused the defacto complainant and her father and assaulted them and subsequently, her father died. Hence, the complaint.

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

4.Considering the nature of allegations in this case that the deceased confronted the petitioners, who are said to have been parking their vehicle in front of the deceased house in an inebriated condition, they hit the deceased and caused death and considering the fact that the petitioners are in judicial custody from 13.08.2024 and that there are no bad antecedents as against the petitioners, I am inclined to enlarge the petitioners on bail with certain conditions.



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5. 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruppuvanam.

(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 report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iii) the petitioners shall not tamper with evidence or witness;

(iv) the petitioners shall not abscond during trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial



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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/-
03/10/2024

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

JBR
TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUPPUVANAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PALAIYANUR POLICE STATION,
SIVAGANGAI DISTRICT
- 4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.



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

ORDER
IN
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Date :03/10/2024

SS/SAR- /03/10/2024/5P/6C

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