



CRL OP(MD). No.17006 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17006 of 2024

Kalayarasan

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
(Crime No. 253 of 2024)

... Respondent/Complainant

For Petitioner : M/s.V.Vijayendiran, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.253 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 29.08.2024 for the offences punishable under Sections 105 and 238(a) of BNS, 2023 in crime No.132 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to the electric fencing in A1's land, the



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defacto complainant's husband died and thereafter, with the help of the petitioner herein they threw the body of the deceased near the neighbor's well. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the nature of allegations in this case that the petitioner herein and other accused said to have live electric wire fencing in their land and the same resulted in the death of the victim and in order to escape from liability, they clandestinely removed the body and threw away in the neighbor's well and considering the fact that the petitioner is in prison from 29/8/2024, I am inclined to enlarge the petitioner on bail.

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 Judicial Magistrate No.I, Usilampatti, Madurai District.

(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 appear before the respondent Police daily at 10.30 a.m for



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a period of three weeks and thereafter, as and when required for interrogation;

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(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 229-A IPC.

sd/-
16/10/2024

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16/10/2024

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

TRP
TO

1 THE JUDICIAL MAGISTRATE NO.I, USILAMPATTI, MADURAI DISTRICT.

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

3 THE OFFICER INCHARGE, SUB JAIL, USILAMPATTI.

4 THE INSPECTOR OF POLICE, USILAMPATTI TALUK POLICE STATION,
MADURAI DISTRICT.

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



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

+1 CC to M/s.V.VIJAYENDIRAN, Advocate (SR-12460[I] dated 16/10/2024)

ORDER

IN

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Date :16/10/2024

RS//SAR-(16.10.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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