



CRL OP(MD). No.17532 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17532 of 2024

Petchimuthu,

... Petitioner/ Accused No.4

Vs

State Rep by

The Inspector of Police,

Kalakadu Police Station,

Tirunelveli District.

Crime No.538/2023..

... Respondent/Complainant

For Petitioner : M/s.K.Jeyamohan, Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

To release the Petitioner on bail relating to the case in S.C.No.332 of 2024 on the file of the IIIrd Additional Sessions Judge, Tirunelveli District, in Crime No.538 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who is facing a case for the offence under Sections 147, 148, 448, 294(b), 302 & 506(ii) of IPC, in S.C.No.332 of 2024 on the file of the IIIrd Additional Sessions Judge, Tirunelveli District, in Crime No.538 of 2023 on the file of



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the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioner and the other accused are said to have brutally attacked the deceased, who is the husband of the defacto complainant and caused death. Hence, the complaint.

3. Heard both sides.

4. Considering the nature of the allegations in this case by way of a retributory murder, this petitioner and the other accused are said to have murdered the defacto complainant's husband and considering the fact that the petitioner is in prison from 13.12.2023, this Court is inclined to grant bail to the petitioner subject to the following 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 IIIrd Additional Sessions Judge, Tirunelveli 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 trial Court for each and every hearing without fail and it is made clear that if the petitioner defaults, the bail is not only in



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this case but in all other cases pending against him will also be cancelled;

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

sd/-
17/10/2024

/ TRUE COPY /

17 / 10 /2024

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

DSS

TO

1 THE III ADDITIONAL SESSIONS JUDGE
TIRUNELVELI DISTRICT.



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

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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

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

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-12602[I] dated 17/10/2024)

ORDER
IN
CRL OP(MD) No.17532 of 2024
Date :17/10/2024

PSP/ /SAR /17.10.2024/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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