



CRL OP(MD). No.17292 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2024

PRESENT

The Hon`ble Mr.Justice K. RAJASEKAR

CRL OP(MD). No.17292 of 2024

Sanjai Prathish,

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Uvari Police Station,
Tirunelveli District.
Crime No. 151/2024..

... Respondent/Complainant

For Petitioner : M/s.K.Jeyamohan, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.151 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 17.09.2024 for the offence punishable under Section 296(b),109(1) and 351(3) of BNS, in Crime No.151 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.09.2024 the petitioner herein along with accused demanded money from the defacto complainant, abused him in filthy language, attacked him aruval and also threatened the defacto complainant with dire consequences, hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in custody from 17.09.2024 and the injured has been discharged from the hospital, hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that there are three previous cases pending against the petitioner, of which one case is under Section 307 of IPC and other two cases are under 506(ii) of IPC hence he objected to grant bail to the petitioner. However he fairly concedes that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and also the fact that injured has been discharged from the hospital and also taking into consideration the

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period of incarceration this Court is inclined to grant bail to the petitioner on certain conditions.

6. 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.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Radhapuram

(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 stay at Trichy and report before the Rockfor Police Station daily at 10.30 a.m., until further orders.

(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].



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vi) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
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/ 10 / 2024

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

AAV

TO

1 THE JUDICIAL MAGISTRATE
RADHAPURAM

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
UVARI 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-12346[I] dated 09/10/2024)



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ORDER
IN
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Date :09/10/2024

PSP/ /SAR /09.10.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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