



CRL OP(MD). No.17272 of 2024

WEB COPY 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.17272 of 2024

Maharajan,

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Medical College Police Station,
Tirunelveli City.
Crime No. 105/2024..

... Respondent/Complainant

For Petitioner : Dr.R.Alagumani,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 105 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/A2, who was arrested and remanded to judicial custody on 23.09.2024 for the offence punishable under Section 126(2),296(b),109 and 351(3) of BNS, in Crime No.105 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to rent arrears dispute on 23.09.2024 all the accused persons joined together and abused the defacto complainant using filthy language, attacked him aruval but fortunately he escaped from hurt and also threatened him 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 23.09.2024 and no one sustained injuries in the occurrence, hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioner herein attacked the victim with aruval hence he objected to grant bail to the petitioner. However he fairly concedes that no previous case is pending against the



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petitioner and no one sustained injuries in the said occurrence.

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5. Considering the facts and circumstances of the case and also the fact that no previous case is pending against the petitioner and no one sustained injuries in the said occurrence and also taking into consideration the 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 No.I, Tirunelveli.

(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 respondent police daily at 10.30 a.m., until further orders.



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

sd/-
09/10/2024

/ TRUE COPY /

09/10/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



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WITTO COPY

1. THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
 3. THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
 4. THE INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION,
TIRUNELVELI DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.DR.R.ALAGUMANI, Advocate (SR-12356[I] dated 09/10/2024)

ORDER
IN
CRL OP(MD) No.17272 of 2024
Date :09/10/2024

RK (09/10/2024) 5P / 7C

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