



CRL OP(MD). No.17280 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

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Vivek,

... Petitioner/ Accused 1

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Kadamalaikundu Police Station,
Theni District.

Crime No. 275/2024.

... Respondent/ Complainant

For Petitioner : Mr.C. Susikumar,
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. 275 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 16.09.2024 for the offence punishable under Section 296(b),41,118(1) and 109 of BNS, in Crime No.275 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.09.2024 at about 10.00 a.m., at the



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instigation of A2 and A3 the petitioner had asked money for ceremonial exchange to the mother of the defacto complainant and quarreled with her. When the wife of the petitioner questioned the same, the petitioner herein attacked her with wooden log, also the defacto complainant and caused injuries, 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 16.09.2024 and the injured has been discharged from the hospital, hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioner herein along with other accused attacked his wife and also the mother of the defacto complainant and caused injuries, hence he objected to grant bail to the petitioner. However he fairly concedes that no one sustained injuries in the said occurrence.

5. Considering the facts and circumstances of the case, also the fact that 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



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learned Judicial Magistrate, Aundipatti.

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(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 Thanjavur and report before the Thanjavur Town 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].

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.



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AAV
TO
WEB COPY

1 THE JUDICIAL MAGISTRATE,
AUNDIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, THEKKAMPATTI, THENI.

4 THE INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION,
THENI DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE
THANJAVUR TOWN POLICE STATION,
THANJAVUR.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-12361[I] dated 09/10/2024)



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ORDER
IN
CRL OP(MD) No.17280 of 2024
Date :09/10/2024

SA/SAR. /09.10.2024/5P/8C

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