



CRL OP(MD)No.17316 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17316 of 2024

Veeramani

... Petitioner/ Accused-4

Vs

The Inspector of Police,
District Crime Branch Police Station,
Theni District,
Crime No.43/2023.

... Respondent/ Complainant

For Petitioner : Mr.Arokia Selva Ramesh.S
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.43/2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on 27.08.2024 for the offence punishable under Sections 417, 468, 471, 420, 447, 427, 294 (b) & 506(i) of IPC, in Crime No.43 of 2023 on the file of the respondent police, seek

bail

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2.The case of the prosecution is that petitioner and other accused entered into the land of the defacto complainant and damaged the fencing. When the same was questioned, the accused person reveals that the land belongs to the Devendra Kula Vellalar Community. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of allegation in this case that without even realizing that Devendra Kula Vellalar Uravan Murai will not be a legal entity at all and on behalf of the said entity, they executed a sale deed for the land which belongs to the defacto complainant and only considering the fact that the petitioner is in judicial custody from 27.08.2024 and that the co-accused has already been released on bail, I am inclined to enlarge the petitioner on bail with certain 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 Judicial Magistrate, Theni;

(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;



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(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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 229A IPC.

sd/-
23/10/2024

/ TRUE COPY /

23/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO
1 THE JUDICIAL MAGISTRATE,
THENI

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



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, THENI.

4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.S.AROKIA SELVA RAMESH, Advocate (SR-12996[I] dated
23/10/2024)

ORDER IN
CRL OP(MD) No.17316 of 2024
Date :23/10/2024

SA/SAR. /23.10.2024/4P/7C

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