



CRL OP(MD). No.17560 of 2024

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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.17560 of 2024

1. Charlin @ Sarlin,

2. Roja @ Arockia Benjamin Roja,

... Petitioners/ Accused Nos.9&14

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
Crime No. 386/2024.

... Respondent/Complainant

For Petitioners: M/s.M.Maharaja, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.386 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A9 to A14, who were arrested and remanded to judicial custody on 03.09.2024 and 04.09.2024 respectively for the offences punishable under Sections 191 (2), 191(3), 49, 296(b), 126(2), 127(2), 103(1) & 351(3) of BNS, in Crime No.386 of 2024



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on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity with regarding to firing crackers in the church festival, the petitioner and the other accused are said to have brutally attacked the deceased, who is the brother of the defacto complainant and caused death. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that on account of enmity, which arose during the church festival, the prime accused said to have stabbed the deceased and all these accused forming a riotous mob, also shouting the deceased to be killed and stamping the deceased on the chest and causing his death, and only considering the fact that the petitioners are in prison from 03.09.2024 and 04.09.2024, respectively, and the second petitioner not having any other antecedents, this Court is inclined to grant bail to the petitioners on certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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



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card or Bank Pass Book to ensure their identity;

(ii)the petitioners 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;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
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17 / 10 /2024

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

DSS



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TO
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1 THE JUDICIAL MAGISTRATE
RADHAPURAM.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTAI,

4 THE OFFICER INCHARGE
SUB JAIL, FOR WOMEN PRISON,
KOKKIRAKULAM,
TIRUNELVELI DISTRICT.

5 THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.17560 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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