



CRL OP(MD). No.17562 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.17562 of 2024

Vijay

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu Rep By,
The Inspector of Police,
Panagudi Police Station,
Tirunelveli District,
(Cr.No.75/2024.)

... Respondent/Complainant

For Petitioner : M/s. George Paul Anto.L, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.75 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A3, who was arrested and remanded to judicial custody on
14.02.2024 for the offences punishable under Sections 279 & 337 of IPC @ Sections



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279, 337, 302, 120(b) r/w 34 of IPC, in Crime No.75 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that due to previous enmity, on 14.02.2024, the petitioner and the other accused are said to have brutally attacked the deceased, who is the brother of the defacto complainant. Even though, the deceased was admitted in the hospital, due to grievous injuries, he died on 12.02.2024. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that, on account of the previous enmity due to church activities, the petitioner along with the other accused are said to have conspired and killed the deceased, and considering the fact that the petitioner is in prison from 14.02.2024 and that the investigation having been completed and the case is now pending in SC.No.219 of 2024, this Court is inclined to grant bail to the petitioner on 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 Judicial Magistrate Court, Valliyoor, Tirunelveli District.

(i)the sureties shall affix their photographs and left thumb impression in the



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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 appear before the trial Court for each and every hearing without fail and it is made clear that if the petitioner defaults, the bail is not only in this case but in all other cases pending against him will also be cancelled;

(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/-
17/10/2024

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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,
Valliyoora, Tirunelveli District.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

4.The Superintendent,
Central Prison, Palayamkottai,
Tirunelveli.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.L.GEORGE PAUL ANTO, Advocate (SR-12610[I] dated 17/10/2024)

ORDER

IN

CRL OP(MD) No.17562 of 2024

Date :17/10/2024

ED/ /SAR- (17/10/2024) 4P / 7C

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