



CRL OP(MD). No.18057 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18057 of 2024

Sathishkumar,

... Petitioner/ Accused Rank not known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
Crime No. 318/2024.

... Respondent/Complainant

For Petitioner : Mr.M. Ramu,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.318 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 06.09.2024 for the offences punishable under Sections 191(2), 191(3), 140(1), 103(1) of BNS and Section 3 of TNPPDL Act, in Crime No.318 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to land dispute, the petitioner and the other accused are said to have kidnapped the defacto complainant's son and brutally attacked him and caused death. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that on account of the dispute with reference to the agricultural lands, which are held by the deceased's family adjacent to the petitioner's family land, the petitioner is said to have abducted the deceased in the very eyes of the father, took him in a pickup vehicle and brutally attacked him and caused his death, and only considering the fact that the petitioner, who is aged about 22 years and is in custody from 06.09.2024 and that there are no



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other antecedents against him and that only soon before the incident he got married,

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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 District Munsif Cum Judicial Magistrate No.I, Kodaikkanal.

(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 Pattukottai and report before the Pattukottai Town Police Station daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

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

iv) the petitioner shall not abscond during trial.



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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/-
28/10/2024

/ TRUE COPY /

28/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE DISTRICT MUNSIF
CUM JUDICIAL MAGISTRATE NO.I, KODAIKKANAL.

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



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3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION, DINDIGUL DISTRICT.

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

COPY TO:
THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION, PATTUKOTTAI.

+1 CC to M/s.M.RAMU, Advocate (SR-13252[I] dated 28/10/2024)

ORDER
IN
CRL OP(MD) No.18057 of 2024
Date :28/10/2024

SS/SAR- /28/10/2024/ 5P/8C

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