



CRL OP(MD). No.17864 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17864 of 2024

Hariprakash,

... Petitioner/ Accused 2

Vs

The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
Crime No.253/2024.

... Respondent/ Complainant

For Petitioner : M/s.Jeevitha.B,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.253/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on
29.08.2024 for the offences punishable under Sections 105 and 238(a) of BNS in crime



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No. 253 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 the electric fencing in A1's land, the defacto complainant's husband died and thereafter, with the help of the petitioner herein and other accused threw the body of the deceased near the neighbor's well. Hence, the case. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the nature of allegations in this case that the petitioner along with the other accused who was the landowner set up a live fencing and when the deceased unfortunately died of electrocution and to escape from liability, the petitioner along with other accused threw the body of the deceased in the adjoining well and considering the fact that there are no other antecedents as against the petitioner and that the petitioner is in prison from 29/8/2024, I am inclined to enlarge the petitioner on bail.

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 No.I, Usilampatti, Madurai District.



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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 appear 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 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 229-A IPC.

sd/-
19/10/2024

/ TRUE COPY /

19/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.I,
USILAMPATTI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, USILAMPATTI.

4 THE INSPECTOR OF POLICE,
USILAMPATTI TALUK POLICE STATION, MADURAI DISTRICT.

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

+1 CC to M/s.B.JEEVITHA, Advocate (SR-12748[I] dated 19/10/2024)

ORDER IN

CRL OP(MD) No.17864 of 2024

Date :19/10/2024

SA/SAR. /19.10.2024/4P/7C

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