



CRL OP(MD)No.17994 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17994 of 2024

Sivaperumal

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Devarkulam Police Station,
Tirunelveli District,
Crime No.395/2024.

... Respondent/Complainant

For Petitioner : Mr.K.R.Laxman, Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.395/2024 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 27.09.2024 for the offence punishable under Sections 296(b), 309(4), 311 and 351(3) of BNS, 2023 in Crime No.395 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 23.09.2024 at 08.00 p.m., the petitioner



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wielded the weapon and proclaimed himself as a rowdy and robbed Rs.1000/- from the defacto complainant. 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 the petitioner wielded the weapon and proclaimed himself as a rowdy and robbed Rs.1000/- from the pocket of the defacto complainant and considering the fact that the petitioner is in judicial custody from 27.09.2024, 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 Principal Sessions Judge, Tirunelveli;

(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 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



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by this court;

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(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/-
21/10/2024

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21/10/2024

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

jbr

TO

1 THE PRINCIPAL SESSIONS JUDGE, TIRUNELVELI.

2 THE INSPECTOR OF POLICE, DEVARKULAM POLICE STATION,
TIRUNELVELI DISTRICT.



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3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI.

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

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-12840[I] dated 21/10/2024)

ORDER
IN

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Date :21/10/2024

RS//SAR-(21.10.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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