



CRL OP(MD). No.18187 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18187 of 2024

Sudhakar @ Micheal Suthakar,

... Petitioner/ Accused 15

Vs

The State of Tamil Nadu,
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.386 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.K.Dinesh, Advocate
for M/s.R.Pon Karthikeyan, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.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 petitioner/ Accused, who was arrested and remanded to judicial custody



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on 12.09.2024 for the offences punishable under Sections 191(2), 191(3), 49, 296(b), 126 (2), 127(2), 103(1) and Section 351(3) of BNS, 2023 in Crime No. 386 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioner herein waylaid the deceased and attacked him with legs and caused death on him. 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 that on account of previous enmity arising out of church festival, the prime accused stabbed the deceased and all these other issues forming a riotous mob shouting that the deceased should die and also stamping on his chest causing the instantaneous death of the deceased and considering the fact that the petitioner is in jail from 12/9/2024 and the other accused similarly placed having been enlarged on bail, 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



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learned Judicial Magistrate, Radhapuram.

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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/-
23/10/2024

/ TRUE COPY /

23/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP

TO

1 THE JUDICIAL MAGISTRATE,
RADHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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

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

ORDER IN
CRL OP(MD) No.18187 of 2024
Date :23/10/2024

SA/SAR. /23.10.2024/4P/6C

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