



CRL OP(MD)No.17986 of 2024

WEB COPY 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.17986 of 2024

Kilbert

... Petitioner/ A-1

Vs

The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District,
Crime No.263/2024.

... Respondent/Complainant

For Petitioner : Mr.George Paul Anto.L,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.263/2024 on the file of the respondent police



CRL OP(MD)No.17986 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner/Accused, who is arrested and remanded to judicial custody on 11.09.2024 for the offence punishable under Sections 296(b), 109, 351(3) of BNS, in Crime No.263 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity between the parties, the petitioner attempted to attack 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 along with the other accused persons is said to have attacked the defacto complainant and damaged the articles and other things in the house of the defacto complainant and considering the fact that there is no injury which is reported in this case and also considering the fact that the petitioner is in judicial custody from 11.09.2024, I am inclined to enlarge the petitioner on bail with certain conditions.



CRL OP(MD)No.17986 of 2024

WEB COPY

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, Radhapuram, Tirunelveli District;

(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 by this court;

(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



CRL OP(MD)No.17986 of 2024

WEB COPY

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

/ TRUE COPY /

21/10/2024
Sub-Assistant Registrar (CS-III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr

TO

- 1.THE JUDICIAL MAGISTRATE, RADHAPURAM, TIRUNELVELI DISTRICT;
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
3. THE SUPERINTENDENT, CENTRAL JAIL,
PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
4. THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT,



CRL OP(MD)No.17986 of 2024

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

+1 CC to M/s.L.GEORGE PAUL ANTO, Advocate (SR-12833[I] dated 21/10/2024)

ORDER
IN
CRL OP(MD) No.17986 of 2024
Date :21/10/2024

RK/ (21/10/2024) 5P / 7C

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