



CRL OP(MD). No.18267 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.18267 of 2024

Muthukrishnan,

... Petitioner/ Accused 2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District
Crime No.166 of 2024.

... Respondent/ Complainant

For Petitioner : MR.B.Muneeswaran,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 166 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 30.05.2024 for the offences punishable under Sections 307 and 302 IPC @ 307, 302, 114 and 34 IPC in crime No. 166 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 and other accused have attacked the deceased and thereby, 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 allegation in this case that the petitioner along with the other accused said to have attacked the defacto complainant and the deceased near their home and thereafter, when the defacto complainant was taking treatment in the hospital, again they were attacked, resulting in the death of the deceased and his son is also being grievously injured and considering the role played by this petitioner that he supplied weapons and that he is in judicial custody from 30.05.2024 and that the investigation is now completed and the case is committed and pending in S.C.No.187 of 2024 and that the co-accused already having been enlarged on bail, I am inclined to enlarge the petitioner on bail.



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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, Thiruchuli.

(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 Trippur and report before the Town Police Station, Tiruppur daily at 10.30 a.m for a period of four weeks except the dates of hearing before the trial Court. It is made clear that no relaxation of 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 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].



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(vi) if the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
23/10/2024

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

TRP

TO

1 THE JUDICIAL MAGISTRATE,
THIRUCHULI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT

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

COPY TO:

THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
TIRUPPUR.

+1 CC to M/s.B.MUNEESWARAN, Advocate (SR-12949[I] dated 23/10/2024)



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ORDER
IN
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Date :23/10/2024

SA/SAR. /23.10.2024/5P/8C

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