



CRL OP(MD). No.18230 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.18230 of 2024

Linga Akash,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
(Crime No. 551 of 2024).

... Respondent/Complainant

For Petitioner : M/s.P.Suresh, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 551 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 on 5.10.2024 for the offences punishable under Sections 126(2), 329(4), 296(b), 131, 74, 351(3) and (*)75(2) of BNS, 2023 in crime No. 551 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to love affair, the petitioner herein trespassed into the house of the defacto complainant and tortured her. Hence, the case.



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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 this petitioner initially in relationship with the defacto complainant and even after the defacto complainant cut off the relationship, the petitioner kept on stalking and also trespassed into her house and attacked the defacto complainant and the fact that he is in judicial custody from 5/10/2024, I am inclined to enlarge the petitioner on Bail. But, however, considering the safety of the defacto complainant and without spoiling the work of the petitioner, I am imposing the following conditions. It is submitted that one petitioner is working in Erode.

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.

(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 Erode and report before the Town Police Station,



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Erode daily at 10.30 a.m for a period of eight weeks and thereafter, as and when required for interrogation before the respondent Police. It is made clear that no further relaxation will be entertained.

(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

(*)Corrected as per order of this Hon'ble Court in
CRL OP(MD).18230/2024 Dated 25/10/2024

/ TRUE COPY /

25/10/2024

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

TRP



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TO

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TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
23/10/2024

1 THE JUDICIAL MAGISTRATE, RADHAPURAM.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

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

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

COPY TO:

THE INSPECTOR OF POLICE, TOWN POLICE STATION, ERODE.

+1 CC TO MR.P.SURESH, ADVOCATE, SR-13212[I] Dated 25/10/2024

ORDER IN
CRL OP(MD) No.18230 of 2024
Date :23/10/2024

SS/SAR- /23/10/2024/ 4P/7C

RS/SAR- /25/10/2024/ 4P/8C

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