



CRL OP(MD). No.18642 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18642 of 2024

R.Selvamurugan,

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Suchindram Police Station,
Kanyakumari.
Crime No. 439/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Kasirajan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.439 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 19.08.2024 for the offences punishable under Sections 109, 296(b), 121(1) and 351(3) of BNS, in Crime No.439 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is said to have continuously



CRL OP(MD). No.18642 of 2024

WEB COPY

indulged in the offence of robbery by showing a weapon. On hearing the same, when the defacto complainant, who is the Inspector of Police, went to arrest the petitioner, he attempted to inflict an injury with aruval on the neck of the defacto complainant. When he was warned to surrender, again, he attempted to inflict cut injury with aruval. Hence, the defacto complainant fired with a pistol on his left hand and took him to Medical College Hospital, Asaripallam. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that on the same date of the occurrence, the petitioner caused grievous injuries on the defacto complainant in Crime No.400 of 2024 and when he was sought to be arrested in the said case, the petitioner is said to have threatened the police party by wielding weapons, and considering the fact that the petitioner is in prison from 19.08.2024, this Court is inclined to grant bail to the petitioner on 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 Principal Session Court, Kanniyakumari District, Nagercoil.

(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



CRL OP(MD). No.18642 of 2024

card or Bank Pass Book to ensure their identity;

WEB COPY

(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;

(iii) Considering the fact that the petitioner is having 26 previous cases, it is made clear that if the petitioner is involved in any other case, the bail granted to the petitioner shall stand automatically cancelled;

(iv) the petitioner shall not tamper with evidence or witness;

v) the petitioner shall not abscond during trial.

vi) 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].

vii) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
28/10/2024

/ TRUE COPY /

28/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.18642 of 2024

DSS

TO

1 THE PRINCIPAL SESSIONS JUDGE,
KANNIYAKUMARI DISTRICT, NAGERCOIL.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE,
SUCHINDRAM POLICE STATION,
KANNIYAKUMARI.

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

+1 CC to M/s.S.KASI RAJAN, Advocate (SR-13266[I] dated 28/10/2024)

ORDER IN
CRL OP(MD) No.18642 of 2024
Date :28/10/2024

SA/SAR. /28.10.2024/4P/6C

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