



CRL OP(MD). No.18415 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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A.Ananthakumar @ Ananth,

... Petitioner/ Accused No.7

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
B1 Vilakkuthoon Police Station,
Madurai City.
Crime No.529 of 2004..

... Respondent/Complainant

For Petitioner : Mr.Anand R.,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in P.R.C No. 326/2023 pending on the file of the learned Judicial Magistrate No.1, Madurai District and thus render justice.

ORDER : The Court made the following order :-

The petitioner /Accused No.7, who was arrested and remanded to judicial



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custody on 06.09.2024, was facing trial in P.R.C No. 326/2023 on the file of the learned Judicial Magistrate No.1, Madurai District, for the offence under Sections 147, 148, 341, 324, 307 and 506(ii) of IPC, seeks bail.

2. The case of the prosecution is that on 02.04.2004, at about 10.15 p.m., the *defacto* complainant was walking in front of a shop, at which point of time, the accused persons are said to have waylaid him and attacked him causing bleeding injuries to the *defacto* complainant and the accused persons escaped from the scene of occurrence. The *defacto* complainant was immediately taken to the hospital and he was given treatment. There are totally 10 accused persons in this case and the petitioner has been arrayed as Accused No.7.

3. In the instant case, the incident had taken place in the year 2004 and the case is pending for nearly 21 years. One accused after another is absconding and therefore, the case was split up. Insofar the petitioner is concerned, it was initially in the PRC stage. Since the petitioner has been secured and produced before the Court on 06.09.2024, he has also been shown as an Accused in the pending case in S.C.No.8 of 2024 before the learned III Additional Special Judge, Madurai. Even today, Accused Nos.9 and 10 are absconding and non bailable warrant has been issued against them and the case stands posted on 27.11.2024.

4. Heard the learned counsel appearing for the petitioner and the learned



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Additional Public Prosecutor appearing for the respondent Police.

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5. It was brought to the notice of this Court that Accused Nos.1 to 3 in this case were done to death and as a result, all other accused went underground. There is one previous case against the petitioner.

6. Taking into consideration the facts and circumstances of the case and considering the grounds raised by the petitioner and also considering the fact that the petitioner has suffered incarceration from 06.09.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 No.I, Madurai and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the Court below regularly during every date of hearing without fail.

[c] the petitioner, while executing a bond with sureties, is also directed to file an affidavit before the Court below undertaking to appear before the Court below



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every date of hearing. If there is any violation, the Court below can proceed to cancel the bail. Under which event, the petitioner will not be granted bail till the disposal of the case.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
18/11/2024

/ TRUE COPY /

18/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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TO

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- 1 THE JUDICIAL MAGISTRATE NO.I
MADURAI DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
B1 VILAKKUTHOON POLICE STATION,
MADURAI CITY.
 - 4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.ANAND, Advocate (SR-14126[I] dated 18/11/2024)

ORDER
IN

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Date :18/11/2024

SS/SAR- /18/11/2024/ 5P/7C

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