



CRL OP(MD). No.18498 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18498 of 2024

Muthuanandh

... Petitioner/ Accused Rank not known

Vs

The State of Tamil Nadu rep by,
The Inspector of Police,
Thanjavur South Police Station,
Thanjavur District.
(Crime No.362 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.S.Vidhya Sagar,
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.362 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.18498 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner/Accused, who was arrested and remanded to judicial custody on 11.09.2024 for the offences punishable under Sections 305, 309(6) and 331(4) of Bharatiya Nyaya Sanhita, in Crime No.362 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the other accused are said to have trespassed into the house of the defacto complainant and assaulted her with iron rod and robbed the jewels and other valuable articles. Hence, the complaint.

3.Heard both sides.

4.The case is very serious. The learned counsel for the present petitioner submits that the allegation against the other accused is only very serious. From the perusal of the FIR, two other accused have gone into the house, and they have caused injuries to the lady and robbed the jewels. The allegation against this petitioner is that he is used to make surveillance of the street and he is standing in the other way of the street, and considering the argument of the learned counsel for the petitioner that, as against this petitioner, there is no other proper material except for the confession of



CRL OP(MD). No.18498 of 2024

the co-accused and all the jewels having been recovered from the other accused only and that the investigation is completed and the charge sheet is filed and the petitioner is in prison from 11.09.2024, 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 learned Judicial Magistrate No.I, Thanjavur.

(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;

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



CRL OP(MD). No.18498 of 2024

iv)the petitioner shall not abscond during trial.

WEB COPY

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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/10/2024

/ TRUE COPY /

29/10/2024
Sub-Assistant Registrar (AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dss

TO

1. THE JUDICIAL MAGISTRATE NO.I, THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.



CRL OP(MD). No.18498 of 2024

3. THE OFFICER IN CHARGE,
PUDUKOTTAI DISTRICT PRISON, PUDUKOTTAI.

4. THE INSPECTOR OF POLICE,
THANJAVUR SOUTH POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.S.VIDHYA SAGAR, Advocate (SR-13378[I] dated 29/10/2024)

ORDER
IN
CRL OP(MD) No.18498 of 2024
Date :29/10/2024

RK/ (29/10/2024) 5P / 7C

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