



CRL OP(MD). No.19001 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Balachandar

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thirupanandhal Police Station,
Thanjavur District.
Crime No. 739/2024.

... Respondent/Complainant

For Petitioner : Mr.M.Karunanithi

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.739 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on

12.10.2024 for the offences under Sections 296(b), 308(5), 351(3) BNS (hereinafter

<https://www.mhc.tn.gov.in/judis>



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referred to as new penal code) r/w 25(1-A) Arms Act in Crime No.737 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner (A1) and another accused person with deadly weapons threatened the general public and were demanding money.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are totally six previous cases against the petitioner and that the petitioner is a history-sheeter.

4. Per contra, the learned Counsel appearing for the petitioner submitted that a false case has been foisted against the petitioner and the petitioner has suffered incarceration from 12.10.2024 onwards.

5. Taking into consideration the facts and circumstances of the case and the materials placed before this Court and also considering the fact that this petitioner has already suffered incarceration from 12.10.2024 onwards, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered 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, Thiruvudaimaruthur, and on further conditions that:-



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[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 report before the respondent police every Monday and Friday at 05.30 p.m until further orders except on the days when the case is posted for hearing before the trial Court.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under

Section 229A IPC.

sd/-
04/11/2024

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04/11/2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1. The Judicial Magistrate,
Thiruvidadaimaruthur.

2. Do through
The Chief Judicial Magistrate,
Thanjavur.

3. The Officer - in - Charge,
Sub Jail,
Thanjavur.

4. The Inspector of Police,
Thirupanandhal Police Station,
Thanjavur District.



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.19001 of 2024
Date : 04/11/2024

SL(04.11.2024)/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.