



CRL OP(MD). No.18846 of 2024

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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.18846 of 2024

1. Karuppaiah,

2. Vasu @ Vasudevan

... Petitioners/ Accused 5 & 6

Vs

The State of Tamil Nadu,
Rep By,
The Inspector of Police,
Thiruvrgamapathur Police Station,
Sivagangai District.
Cr.No.88 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.R.Balamuruganantham,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No.88 of 2024 on the file of the respondent police,



CRL OP(MD). No.18846 of 2024

ORDER: The Court made the following order :-

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The petitioners/A5 and A6, who were arrested and remanded to judicial custody on 26.09.2024 for the offences under Sections 126(2), 296(b), 324(4), 351(3), 109(1) and 49 of BNS, in Crime No.88 of 2024, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners are said to have waylaid the defacto complainant, abused him in filthy language and attacked with deadly weapons.

3.Heard. Perused the materials available on record including the First Information Report.

4.In respect of the first petitioner, the learned counsel for the petitioner seeks permission of this Court to withdraw this petition and he has also made an endorsement to that effect. In view of the same, this petition is dismissed as withdrawn in respect of the first petitioner.

5.Considering the nature of allegations in this case that the second petitioner along with the other accused is said to have attacked the defacto complainant and though initially, the defacto complainant was discharged and he is now taking higher treatment from another neurology and considering the fact that the second petitioner is in prison from from 26.09.2024 and similarly placed co-accused has also granted



CRL OP(MD). No.18846 of 2024

bail by the trial Court, I am inclined to enlarge the second petitioner on bail, subject to the following conditions:

[a] Accordingly, the second petitioner is ordered to be released on bail on condition to execute 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 Court, Devakottai, Sivagangai District, and on further conditions that:

[b] 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.

[c] the second petitioner shall stay at Uthamapalayam, Theni District and report before the learned Judicial Magistrate, Uthamapalayam, daily at 10.30 a.m. for a period three weeks and thereafter, report before the respondent police as and when required for interrogation.

[d] the second petitioner shall not commit any offences of similar nature.

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

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

[g] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the second



CRL OP(MD). No.18846 of 2024

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petitioner in accordance with law as if the conditions have been imposed and the second 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/10/2024

/ TRUE COPY /

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

SJI
TO

1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.

4 THE INSPECTOR OF POLICE,
THIRUVRGAMAPATHUR POLICE STATION,
SIVAGANGAI DISTRICT.

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

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



CRL OP(MD). No.18846 of 2024

COPY TO:

1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

ORDER
IN
CRL OP(MD) No.18846 of 2024
Date :29/10/2024

SA/SAR. /29.10.2024/5P/8C

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