



CRL OP(MD). No.18865 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.18865 of 2024

Santhosh
S/o.Selvam

... Petitioner/ Accused-7

Vs

State rep by
The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.
(Crime No.351 of 2024)

... Respondent / Complainant

For Petitioner : M/s.V.Kannan,
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.351 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/ Accused-7, who was arrested and remanded to judicial custody on 12.09.2024 for the offences punishable under Sections 194 of BNSS, 2023 then altered to Section 103(1) of BNS Act, 2023, in Crime NO.351 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with the prime accused and the other accused attacked the deceased with their fists and wooden logs leading to his death. Hence, the case .

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the nature of the allegations in this case that the deceased used to send obscene messages to the wife of A2 and they are enraged by the same and all the accused planned and aksed the accused to come to a particular place and attacked the deceased with beer bottles and caused death and only considering the petitioner is in judicial custody from 12.09.2024, I am inclined to enlarge the petitioner on bail with certain conditions.



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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.6, Madurai.

(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. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

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

(iv)the petitioner shall not abscond during trial.



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(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 absconds, 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.

pal

TO

1. THE JUDICIAL MAGISTRATE NO.6, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE OFFICER-IN-CHARGE,
SUB JAIL,
VIRUDHUNAGAR DISTRICT.



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4. THE INSPECTOR OF POLICE,
NAGAMALAI PUDUKKOTTAI POLICE STATION,
MADURAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.18865 of 2024
Date :29/10/2024

RK/ (29/10/2024) 5P / 6C

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