



CRL OP(MD). No.18888 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.18888 of 2024

Ashok Kumar,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
Crime No. 426/2024.

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesha Pandian, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 426 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 11.10.2024 for the offences under Sections 296(b), 115(2) and 351(3) of

BNS, 2023 r/w Section 4 of TNPWH Act, in Crime No.426 of 2024, on the file of the

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



CRL OP(MD). No.18888 of 2024

respondent police, seeks bail.

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2.The case of the prosecution is that there was a wordy quarrel between the parties with regard to parking the vehicle, in which, the petitioner abused the defacto complainant in filthy language, attacked her and threatened her with dire consequences.

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

4.Considering the nature of allegations that the petitioner, on account of a land dispute, threatened the defacto complainant with filthy language and assaulted her by using hands and harassed her and considering the fact that the petitioner is in custody from 11.10.2024, I am inclined to enlarge the petitioner on bail, subject to the following conditions:

[a] Accordingly, the 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 cum Additional Mahila Court, Sivagangai, 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.



CRL OP(MD). No.18888 of 2024

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[c] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period three weeks and thereafter, as and when required for interrogation.

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

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

[f] the 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 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].

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

sd/-
29/10/2024

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/ 10 /2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI



CRL OP(MD). No.18888 of 2024

TO

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1 THE JUDICIAL MAGISTRATE CUM
ADDITIONAL MAHILA COURT, SIVAGANGAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE
SUB JAIL, SIVAGANGAI.

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

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

ORDER
IN

CRL OP(MD) No.18888 of 2024

Date :29/10/2024

PSP/ /SAR /30.10.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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