



CRL OP(MD). No.18903 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Selvaraj,

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
Cr.No.205/2024..

... Respondent/ Complainant

For Petitioner : Mr.Maheswaran.R,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.205/2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 24.08.2024 for the alleged offence under Sections 103 of BNS @ 103(1) of BNS in Crime No.205 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the deceased are neighbours. On 22.08.2024, the deceased is said to have tried to take coconuts from the property belonging to the petitioner. When this was questioned, there was a wordy quarrel and the petitioner is said to have attacked the deceased. As a result of which, he died. The further case of the prosecution is that the petitioner had also stolen the ear stud by cutting the ear of the deceased.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. In the instant case, the entire incident had taken place in the spur of the moment. The petitioner has already suffered incarceration from 24.08.2024. There are no bad antecedents against the petitioner. The investigation has also been



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completed. Hence, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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5. Accordingly, the petitioner is ordered to be released on bail on his 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, Orathanadu, Thanjavur District and on further conditions that:-

[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 appear before the respondent Police daily at 10.30 a.m. until further orders.

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

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

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

sd/-
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07/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1 THE JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
THIRUVONAM POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, THANJAVUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.18903 of 2024
Date :07/11/2024

SS/SAR- /07/11/2024/ 5P/6C

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