



CRL OP(MD). No.18964 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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Thajdeen

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Dindigul Town South Police Station,
Dindigul District.
Crime No. 325/2024.

... Respondent/Complainant

For Petitioner : Mr.M.Suresh,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.325 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

05.10.2024 for the offences under Sections 309(4), 311, 351(3) BNS (hereinafter

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



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referred to as new penal code) in Crime No.325 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons waylaid the defacto complainant by showing deadly weapons and had forcibly taken a sum of Rs.800/- from the defacto complainant. There are two accused persons and the petitioner is arrayed as A2.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are four previous cases against the petitioner, out of which, one case ended in acquittal and three cases are pending. The learned Additional Public Prosecutor further submitted that A1 is still in judicial custody.

4. Per contra, the learned Counsel appearing for the petitioner submitted that false case has been foisted against the petitioner and the present FIR has been registered only for statistical purpose.

5. Taking into consideration the facts and circumstances of the case and also of the fact that this petitioner has already suffered incarceration from 05.10.2024 and he has been enlarged on bail in the three pending cases, 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



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ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Dindigul, 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 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

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Section 229A IPC.

sd/-

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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 No.III,
Dindigul.

2. Do through
The Chief Judicial Magistrate,
Dindigul.

3. The Officer - in - Charge,
District Prison,
Dindigul.



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4. The Inspector of Police,
Dindigul Town South Police Station,
Dindigul District.

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

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SL(04.11.2024)/ 5P/ 6C

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