



CRL OP(MD). No.19428 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19428 of 2024

Dineshkumar

... Petitioner/ Accused No.8

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
Crime No. 67 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.Viswanathan.B, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no. 67 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A8, who was arrested and remanded to judicial custody on

26.09.2024 for the offences under Sections 279, 337 and 304(A) IPC and subsequently,
<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.19428 of 2024

altered to Sections 147, 148, 149, 120(B), 109, 302 and 201 IPC in Crime No.67 of 2023

WEB COPY

on the file of the respondent police, seeks bail.

2. The case of the prosecution is that initially, the case was registered for the offence under Sections 279, 337 and 304(A) IPC against the Driver of the vehicle, who is said to have dashed against the deceased resulting in his death. Investigation revealed that totally ten accused persons were involved in this case and the deceased was an Army man and his wife is said to have had illicit intimacy with the first accused. On 02.04.2023, the accused persons attempted to create an impression as if the deceased was travelling in his two-wheeler and in the scene of occurrence, a four-wheeler, which was driven by the sixth accused dashed the two wheeler. As a result of which, the deceased fell down. It came to light that all the other accused persons were waiting in the place of occurrence and they had attacked the deceased with iron rod and thereafter, he was brought to the road and the sixth accused was made to run over the vehicle on the deceased to give an impression that the entire incident had taken place due to an accident. This Court had ordered for further investigation and pursuant to the same, the offence was altered to Sections 147, 148, 149, 120(B), 109, 302 and 201 IPC. The petitioner has been arrayed as eighth accused in this case.

3. Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.



CRL OP(MD). No.19428 of 2024

WEB COPY

4. This Court already considered the bail application filed by A7 and granted bail in Crl.O.P(MD)No.19004 of 2024 by order dated 04.11.2024. The petitioner, who is arrayed as A8 surrendered before the trial Court on 28.09.2024. The petitioner has suffered incarceration from 28.09.2024.

5. Considering the facts and circumstances of the case and also considering the fact that all the other accused persons have been granted bail, 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 ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumangalam, Madurai 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 report before the respondent police every Friday at 05.30 p.m for a period of four weeks and thereafter, the petitioner shall appear before the learned Judicial Magistrate, Thirumangalam, Madurai District, once in fifteen days at 10.30 a.m until further orders except on the days when the case is posted for



CRL OP(MD). No.19428 of 2024

hearing before the trial Court.

WEB COPY

[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].

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

sd/-
11/11/2024

/ TRUE COPY /

11 / 11 / 2024

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

LR



CRL OP(MD). No.19428 of 2024

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE
THIRUMANGALAM, MADURAI DISTRICT.

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

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
THIRUMANGALAM TALUK POLICE STATION, MADURAI DISTRICT.

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

+1. CC to M/S.VISWANATHAN.B Advocate SR.No.13805 (I) dated 11/11/2024

ORDER
IN

CRL OP(MD) No.19428 of 2024

Date :11/11/2024

PSP/ /SAR /11.11.2024/ 5P/ 7C

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