



CRL OP(MD). No.19487 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19487 of 2024

Govendran@ Pannayar

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Panavadalichatram Police Station,
Tenkasi District.
Cr.No.134/2024.

... Respondent/ Complainant

For Petitioner : Mr.M.Jegadeesha Pandian

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.134/2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/ A2, who was arrested and remanded to judicial custody on 09.09.2024 for the offences under Sections 126(2), 296(b), 103(1), 351(3) BNS Act in Crime No.134 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a previous enmity between A1 and the deceased due to temple festival. The deceased is said to have gone for a morning walk, at which point of time A1 to A3 chased him and he was waylaid and A1 had attacked the deceased with aruval resulting in his death. There are totally four accused persons and the petitioner has been arrayed as A2.

3.The learned Additional Public Prosecutor on instructions submitted that all the four accused persons have been arrested in this case and A1 was detained under Act 14, 1982. He further submitted that there are four previous cases against the petitioner. The investigation is almost completed and the police is awaiting for the Chemical Analysis report.

4.The learned counsel for the petitioner submitted that the petitioner has suffered incarceration from 09.09.2024 onwards and that no overt act has been attributed against the petitioner and that A3 has already been enlarged on bail. Therefore, the learned counsel submitted that the petitioner may be enlarged on bail by imposing any condition.



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5. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent. Carefully perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and considering the fact that the investigation is almost completed, awaiting for the Chemical Analysis report and A3, who is similarly placed has already been enlarged on bail by the Sessions Court and that the petitioner has suffered incarceration from 09.09.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

7. 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, Sankarankovil, Tenkasi*, 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 daily at 10.30 a.m., and 05.30 p.m., until further orders;



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[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];

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

sd/-
12/11/2024

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12/11/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

1 THE JUDICIAL MAGISTRATE
SANKARANKOVIL, TENKASI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.



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3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
PANAVALICHATRAM POLICE STATION,
TENKASI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.19487 of 2024

Date :12/11/2024

SS/SAR- /12/11/2024/ 5P/6C

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