



CRL OP(MD). No.19534 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

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Antony Raj

... Petitioner/ Accused no.3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
Crime No. 346/2024.

... Respondent/ Complainant

For Petitioner :Mr. M.Murugesan, Advocate
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 346 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner/A3, who was arrested and remanded to judicial custody on



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21.08.2024 for the offences under Sections 191(2), 191(3), 329(4), 126(2), 296(b), 109(1) and 351(3) BNS (hereinafter referred to as new penal code) and subsequently altered to Sections 103 of new penal code in Crime No.346 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that a private Company had purchased several tracts of land at Aarockiyanathapuram. They were attempting to fix the boundaries for the properties purchased by them and at that point of time, the villagers belonging to the place were protesting. This resulted in wordy quarrel and the accused persons started attacking two of the Advocates, who had came along with the Company officials for the purpose of fixing the boundaries. The deceased sustained grievous injuries and he succumbed to the injuries on the same day i.e., on 20.08.2024. There are totally 14 accused persons in this case and the petitioner has been arrayed as A3.

3. The learned Counsel appearing for the petitioner submitted that the entire incident had taken place in the spur of the moment and there is no specific overt act attributed against the petitioner. The learned Counsel further submitted that the petitioner has suffered incarceration from 21.08.2024 onwards and that many of the co-accused have been enlarged on bail by this Court. Further it was reported that in this petition, the satisfaction Court is wrongly mentioned as learned Judicial



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Magistrate, Tirunelveli instead of learned Judicial Magistrate No.I, Madurai.

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4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the accused persons indiscriminately attacked the Advocates, who accompanied the Company officials. As a result, one of the Advocate died in this case. The learned Additional Public Prosecutor further submitted that already A3, A4, A7 and A8 to A12 have been enlarged on bail. There are no previous case pending against the petitioner.

5.This Court has carefully considered the submissions made on either side and the materials available on record.

6.Taking into consideration the facts and circumstances of the case and the manner, in which, the incident had taken place and also considering that this petitioner has already suffered incarceration for more than 80 days and many of the co-accused have already been enlarged on bail, 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 No.I, Madurai, and on further conditions that:-

(i)the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
11/11/2024

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11 / 11 / 2024

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

LR



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TO

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1 THE JUDICIAL MAGISTRATE, NO.I, MADURAI.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRION, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
PERUMALPURAM POLICE STATION, TIRUNELVELI DISTRICT.

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

+1. CC to G.KARUPPASAMY PANDIYAN Advocate SR.No.13797 (I) DATED
11/11/2024

ORDER

IN

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Date :11/11/2024

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

Madurai Bench of Madras High Court is issuing certified
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