



CRL OP(MD). No.19552 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Sheik Ibarahim,

Vs

The State of Tamilnadu,
Represented by, the Inspector of Police
Peraiyur Police Station,
Madurai District.
Crime No. 209 of 2024..

... Respondent/Complainant

For Petitioner : Mr.Navaneetharaja.K.,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 209 of 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 / Sole Accused, who was arrested and remanded to judicial custody on 08.10.2024 for the alleged offence under Sections 105 and 238 of BNS in Crime No.209 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased went to graze the goats on 07.10.2024 at about 05.00 p.m. and he did not return home. The deceased was a differently-abled person. He was ultimately found dead due to electrocution. On further enquiry, it came to light that the petitioner had illegally erected electric fencing around his agricultural field and the deceased came in contact with the live electric fencing and he was electrocuted and he died. It is further alleged that on seeing the dead body, the petitioner lifted the dead body and kept it in another place to escape from the consequences.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Earlier bail application filed by the petitioner in CrI.O.P.(MD).No.18255 of



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2024 came to be dismissed by an order dated 23.10.2024 on the ground that investigation is in nascent stage.

5. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the Investigating Officer is now awaiting for the chemical analysis report and the investigation has been completed in all other respects.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 08.10.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. 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 District Munsif and Judicial Magistrate, Peraiyur 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.



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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/-
13/11/2024

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13/11/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1.The District Munsif and Judicial Magistrate,
Peraiyur.
- 2.The Chief Judicial Magistrate, Madurai
- 3.The Superintendent, Central Prison, Madurai.



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4.The Inspector of Police
Peraiyur Police Station,
Madurai District.

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

ORDER
IN
CRL OP(MD) No.19552 of 2024

Date : 13/11/2024

KB(13.11.2024)/ 5P/ 6C

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