



CRL OP(MD). No.19342 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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1. Ulaganathan

2. Pathalam @ Sembattai

... Petitioners/ Accused No.2 & 3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Srivaikundam Police Station,
Srivaikundam,
Thoothukudi District.
Crime No. 211 of 2024.

... Respondent/Complainant

For Petitioner : Mr. Pragalathan N, advocate

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

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no. 211 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 petitioners/ A2 & A3, who were arrested and remanded to judicial custody on 12.08.2024 for the offences under Sections 49, 296(b), 126, 109, 351(3) BNS (hereinafter referred to as new penal code) and subsequently, altered to Section 103 new penal code in Crime No.211 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that some of the goats belonging to the defacto complainant went missing and the defacto complainant came to know that A2 and A4 are involved in this. The defacto complainant's father-in-law is the deceased in this case. The husband of the defacto complainant went and questioned the accused persons regarding the missing of goats. This became the motive for the commission of crime, whereby, the deceased was attacked indiscriminately and sustained grievous injury on 07.08.2024. Ultimately, he succumbed to the injuries on 19.08.2024. There are totally 4 accused persons in this case and the petitioners have been arrayed as A2 & A3.

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

4. Taking into consideration the facts and circumstances of the case and also the manner, in which, this incident has taken place and considering the fact that these



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petitioners have already suffered incarceration from 12.08.2024 onwards, and also considering the fact that A4 has already been granted bail by this Court in Crl.O.P (MD)No.18501 of 2024 by order, dated 25.08.2024 and the investigation has been completed and the case is now pending before the learned Judicial Magistrate, Srivaikundam in P.R.C.No.14 of 2024, this Court is inclined to grant bail to the petitioners subject to the following conditions.

5. Accordingly, the criminal original petition is ordered and the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Srivaikundam, Thoothukudi 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 petitioners shall report before the trial Court on every date of hearing without fail.

[c] the petitioners shall appear before the trial Court during every hearing date without fail.

[d] the petitioners shall not tamper with evidence or witness either during



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investigation or trial.

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[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

TO

1 THE JUDICIAL MAGISTRATE
NO.I, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.

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



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3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE,
SRIVAIKUNDAM POLICE STATION,
SRIVAIKUNDAM,
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S. PRAGALATHAN N Advocate SR.No.13838(I) dated 11/11/2024

ORDER
IN
CRL OP(MD) No.19342 of 2024
Date :11/11/2024

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

Madurai Bench of Madras High Court is issuing certified
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