



CRL OP(MD). No.19520 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.19520 of 2024

M.Dharmar

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu
Rep.By,The Inspector of Police,
M Pudupatti Police Station,
Virudhunagar District.
(Crime No.122 /2024).

... Respondent/Complainant

For Petitioner : Mr.J.Nikhil

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.122 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 22.10.2024 for the offences under Section 105 of BNS Act in Crime No.122 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had installed electric fence around his groove. On 21.10.2024, the deceased is said to have come to the place to attend nature's call and he was electrocuted and he died.

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

4. Taking into consideration the facts and circumstances of the case and the manner in which, the incident had taken place and also considering the fact that the petitioner has suffered incarceration from 22.10.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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5. 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.II, Sivakasi*, 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 05.30 p.m., for a period of six weeks, thereafter, as and when required for interrogation;

[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];



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-
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12/11/2024

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

PNM

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
SIVAKASI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.
- 4 THE INSPECTOR OF POLICE,
M PUDUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.19520 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