



CRL OP(MD). No.19478 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.19478 of 2024

Ramamoorthy

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.
Cr.No.417 of 2024..

... Respondent/Complainant

For Petitioner : Mr.Vijayaraja,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.417 of 2024 on the file of the respondent police.



CRL OP(MD). No.19478 of 2024

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 22.08.2024 for the offences under Sections 296(b), 109(1), 351(3) BNS Act in Crime No.417 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner abused the defacto complainant in filthy language and threatened him and attacked with deadly weapons.

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

4. In the case in hand, a formal arrest was made when the petitioner was already in judicial custody after arrest in Cr.No.381 of 2024. In fact, based on these two cases, a detention order was passed under Act 14, 1982 and the petitioner was detained. Only on this ground, the Principal Sessions Judge, Tirunelveli dismissed the bail petition filed by the petitioner. Thereafter, the detention order has been revoked by order of the Government, dated 28.10.2024. The petitioner said to have



CRL OP(MD). No.19478 of 2024

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committed the first offence in this case at 08.00 a.m., within the jurisdiction of Gangaikondan Police Station and thereafter, he has committed another offence at about 09.30 a.m., within the jurisdiction of Thalaiyuthu Police Station. Hence, the petitioner was arrested in that case and formal arrest was shown in this case.

5. Taking into consideration the facts and circumstances of the case and considering the manner in which, FIRs have been registered against the petitioner and also considering the fact that the petitioner has suffered incarceration from 22.08.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. 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.III, Tirunelveli*, 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;



CRL OP(MD). No.19478 of 2024

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[b] the petitioner shall report before the Judicial Magistrate No.III, Tirunelveli daily at 10.30 a.m., until further orders;

[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



CRL OP(MD). No.19478 of 2024

TO
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- 1 THE JUDICIAL MAGISTRATE NO.III
TIRUNELVELI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.
- 4 THE INSPECTOR OF POLICE,
GANGAIKONDAN POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.19478 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