



CRL OP(MD). No.19538 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.19538 of 2024

Pasupathi

... Petitioner/Sole Accused

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.382 of 2024).

... Respondent/Complainant

For Petitioner : Mr.V.Vishnu,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.382 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 29.09.2024 for the offences under Sections 294(b), 109(1), 351(3) BNS Act in Crime No.382 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that one of the son of the defacto complainant had eloped with the daughter of the petitioner. Thereafter, they got married and child was also born. On 27.09.2024, when the defacto complainant and his brother were standing near the temple, the petitioner came there and questioned the defacto complainant and there was a wordy quarrel between them. He attacked the defacto complainant with aruval and his brother was also threatened and he also sustained injuries.

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 previous enmity between the parties and also considering the fact that the



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petitioner has suffered incarceration from 29.09.2024 and the injured have already been discharged from the hospital, this Court is inclined to grant bail to the petitioner subject to the following conditions.

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, Melur*, 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 three 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



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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

/ TRUE COPY /

12/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1 THE JUDICIAL MAGISTRATE
MELUR.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.



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

ORDER
IN
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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