



CRL OP(MD). No.19619 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19619 of 2024

Krishnamoorthi,

... Petitioner/ Accused No.2

Vs

State of Tamil Nadu,
Rep By,
The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
Crime No.412/2024..

... Respondent/Complainant

For Petitioner : Mr.R.Prasanna,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.412/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 12.09.2024 for the alleged offence under Sections 103 and 238 of BNS in Crime No.412 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the Accused No.1 had informed that the deceased had slipped and fallen down. Due to the injuries, he died. Thereafter, the funeral was also arranged and it was performed at the house of Accused No.2.. Later, it came to light that the deceased was done to death and in order to conceal the same, the accused persons had conspired and also completed the funeral. There are totally fifteen accused persons in this case and the petitioner has been arrayed as Accused No.2.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner is the father of Accused No.1 and he was the one who had arranged for the funeral after knowing fully well that the deceased was done to death.



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4. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely roped in this case and he has nothing to do with the alleged offence.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner has suffered incarceration from 12.09.2024 and this Court was pleased to enlarge Accused No.4 on bail by an order in Crl.O.P. (MD).No.18761 of 2024 dated 29.10.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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 Judicial Magistrate, Aranthangi 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. for a period of four weeks and thereafter, as and when required for interrogation.



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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

/ TRUE COPY /

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

TSG

TO

1 THE JUDICIAL MAGISTRATE
ARANTHANGI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.



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3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1 CC to M/s.R.PRASANNA, Advocate (SR-13923[I] dated 13/11/2024)

ORDER
IN

CRL OP(MD) No.19619 of 2024

Date :13/11/2024

SS/SAR- /13/11/2024/ 5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023