



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19898 of 2024

Navaneethakrishnan @ Sullan Navani,

... Petitioner/ Accused

Vs

State of Tamilnadu,
Rep. By,
The Inspector of Police,
Karuppayurani Police Station,
in Crime No.84/2024
Madurai District.

... Respondent/Complainant

For Petitioner : Mr.C.Susikumar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.84 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-



The petitioner / Accused, who was arrested and remanded to judicial custody on 12.09.2024 for the offence under Sections 296(b), 115(2), 351(3) and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 and Section 25(1) (a) of Arms Act, 1959 in Crime No.84 of 2024 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 08.09.2024, at about 12.45 a.m., in the midnight, the accused persons assembled in front of the house of the *defacto* complainant with deadly weapons. They knocked the door and when the *defacto* complainant came out, accused Nos.1 and 2 punched on his face and pushed him down and abused him in filthy language. They came in search of the *defacto* complainant's son and when he was not available in the house, they started damaging the household articles. An emergency call was made to the Police and the Police came to the scene of occurrence and nabbed all the thirteen accused persons. The petitioner has been arrayed as Accused No.9.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely roped in this case. He further submitted that the petitioner has suffered incarceration from 12.09.2024.



4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that if the Police had not intervened, a murder would have taken place, since it was a retaliatory attack from the side of the accused persons. He further submitted that there are three previous cases against the petitioner.

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 there are three previous cases against the petitioner and the incident resulted in injuries sustained by the *defacto* complainant in his face and many of the accused persons have been enlarged on bail by the Court below, 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 No.II, Madurai 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 every Monday and



Friday at 05.30 p.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 269 of BNS, 2023.

sd/-
18/11/2024

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18 / 11 /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023

TSG

TO

1.The Judicial Magistrate No.II, Madurai.

<https://www.mhc.tn.gov.in/judis>



2.The Chief Judicial Magistrate, Madurai.

3. The Superintendent, Central Prison, Madurai.

4.The Inspector of Police,
Karuppayurani Police Station,
in Crime No.84/2024
Madurai District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.19898 of 2024

Date :18/11/2024

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