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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.19897 of 2024

Nandhakumar @ Nandhu, ... Petitioner/ Accused

Vs

State of Tamilnadu,
Rep. By,
The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
In Crime No.865 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.S.Sathyachidambaram,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.865 of 2024 on the file of the respondent Police.



ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial custody on 22.10.2024 for the offence under Sections 296(b), 351(3) of BNS, 2023 and Section 25(1A) of Arms Act, 1959 in Crime No.865 of 2024 on the file of the respondent Police, seeks bail.

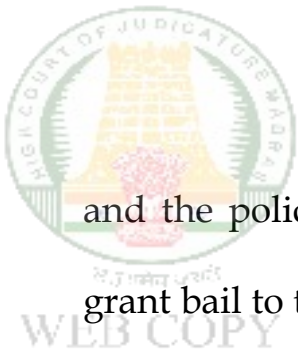
2. The case of the prosecution is that the petitioner was found with a long size sickle and he was threatening the general public and demanding money.

3. The learned counsel appearing for the petitioner submitted that a false case has been foisted against the petitioner only because of some previous cases pending against the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is a history sheeter and there are six previous cases pending against the petitioner. That apart, investigation has been completed and police report has been filed before the learned Judicial Magistrate, Papanasam.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner has suffered incarceration from 22.10.2024

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and the police report has already been filed in this case, 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 District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District 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 learned Judicial Magistrate, Papanasam 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].

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[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 District Munsif cum Judicial Magistrate,
Papanasam, Thanjavur District.
- 2.Do through
The Chief Judicial Magistrate,
Kumbakonam.
- 3.The Officer incharge, District Prison, Thanjavur.
- 4.The Inspector of Police,
Papanasam Police Station,
Thanjavur District
- 5.The Additional Public Proscutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.19897 of 2024
Date :18/11/2024

KB/18.11.2024 4P/5C

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

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