



CRL OP(MD). No.19964 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
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Manikandan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Chinnakovilankulam Police Station,
Tenkasi District.

Crime No. 23/2024.

... Respondent/Complainant

For Petitioner : Mr.V.Sukumar, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest or surrender in connection with the case in PRC No. 39 of 2024 in Crime No. 23/24 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 27.03.2024 for the offences under Sections 294(b), 448, 427, 307 and 506(iii) of IPC in P.R.C.No.39 of 2024 in Crime No.23 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the wife of the defacto complainant was feeding food for her child on 14.02.2024. The petitioner is said to be the neighbor of the defacto complainant. The petitioner's dog seems to have gone near the child and the wife of the defacto complainant seems to have said that the dog will bite and therefore, asked the child not to go near the dog. The petitioner is said to have been aggrieved by this statement made by the defacto complainant's wife and there was a wordy quarrel and at about 03.00 p.m on the same day, the petitioner is said to have threatened the defacto complainant and his family members and also attempted to attack the defacto complainant with Aruval and he had also caused damage to the A.C. out door unit.

3.The petitioner had earlier filed bail petition in CrI.O.P(MD)No.17057 of 2024 and the same was closed by order dated 04.10.2024 on the ground that the petitioner has already been detained under Act 14 of 1982.

4. Heard the learned Counsel appearing on either side.

5.It was brought to the notice of this Court that the detention order passed against the petitioner was set aside by this Court in H.C.P(MD)No.683 of 2024 by order dated 11.11.2024.

6. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are four previous cases pending against the petitioner



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and that the petitioner is involved in serious crimes. The learned Additional Public Prosecutor further submitted that the petitioner was arrested and remanded to judicial custody on 27.03.2024 in Crime No.23 of 2024. Thereafter, formal arrest was made in Crime No.54 of 2024.

7. Taking into consideration the facts and circumstances of the case and considering the fact that this petitioner has already suffered incarceration from 27.03.2024 and the detention order passed against the petitioner was also quashed by this Court and the investigation has been completed and police report has been filed and the case is now pending in S.C.No.330 of 2024 on the file of the learned Judicial Magistrate, Tenkasi, this Court is inclined to grant bail to the petitioner subject to the following conditions.

8. 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, Sankarankovil, 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,



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Tenkasi during every date of hearing without fail.

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[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.

sd/-
19/11/2024

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20/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR



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TO

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1 THE JUDICIAL MAGISTRATE
SANKARANKOVIL.

2. THE JUDICIAL MAGISTRATE,
TENKASI.

3 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

5 THE INSPECTOR OF POLICE,
CHINNAKOVILANKULAM POLICE STATION, TENKASI
DISTRICT.

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

ORDER IN
CRL OP(MD) No.19964 of 2024
Date :19/11/2024

ED/ /SAR- (20/11/2024) 5P / 7C

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