



CRL OP(MD). No.19973 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**

CRL OP(MD). No.19973 of 2024

Manikandan

... Petitioner/1st Accused

Vs

State of Tamilnadu Rep By,
The Inspector of Police,
Chinnakovilankulam Police Station,
Tenkasi District.
Crime No.54/2024.

... 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.40/2024 in Crime No.54/2024 on the file of the respondent Police.



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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), 307, 506(2) IPC and Section 3 of TNPPDL Act r/w Section 34 of IPC in P.R.C.No.40 of 2024 in Crime No.54 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant had earlier given a complaint against the petitioner on the ground that he threatened his family members and attacked them and caused damage to the A.C. out door unit. Based on the same, an FIR came to be registered in Crime No.23 of 2024. When this FIR was pending, the petitioner is said to have gone into the house of the defacto complainant and on 26.03.2024 along with the other accused person and threatened the defacto complainant and his family members to withdraw the earlier complaint given against him and he had abused them in filthy language and had attempted to attack them with Aruval. Based on this complaint, the present FIR was registered in Crime No.54 of 2024.

3.The petitioner had earlier filed bail petition in CrI.O.P(MD)No.17071 of 2024



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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.

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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 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



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by this Court and the investigation has been completed and police report has been filed and the case is now pending in P.R.C.No.40 of 2024 on the file of the learned Judicial Magistrate, Sangarankoil, 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, Sangarankoil**, 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, Sangarankoil** during every date of hearing without fail.

[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.



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

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[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

/ TRUE COPY /

20/11/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

1 THE JUDICIAL MAGISTRATE
SANKARANKOVIL.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI.



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

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

ORDER IN
CRL OP(MD) No.19973 of 2024
Date :19/11/2024

SS/SAR- /20/11/2024/ 6P/6C

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