



CRL OP(MD). No.19997 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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Mukilraj

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
Crime No. 507/2024.

... Respondent/Complainant

For Petitioner : Mr.M..Prabu,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 507 of 2024 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 29.10.2024 for the offences under Sections 126(2), 3(5), 296(b), 115(2), 118(1), 74 and



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76 of BNS (hereinafter referred to as new penal code) in Crime No.507 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 28.10.2024, at about 09.30 pm, the defacto complainant was walking towards his house and at that point of time, A1 is said to have banged the defacto complainant's uncle and when the same was questioned, A1 along with the other accused persons abused the defacto complainant's uncle in filthy language and when it was questioned by the other family members, A1 seems to have grabbed the saree of one of the victim and torn it and the entire family members were put to threat. There are totally eight accused persons in this case and the petitioner has been arrayed as A1.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner is aged about 19 years and already he has six previous cases against him. The learned Additional Public Prosecutor further submitted that the petitioner is operating as a gang and he is repeatedly involved in commission of crimes.

4. The learned Counsel appearing for the petitioner submitted that a false case has been foisted against the petitioner and that the petitioner is being roped in as an accused in every case. He further submitted that the petitioner is aged about 19 years and that he will undertake not to commit any further offence.



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5. Taking into consideration the facts and circumstances of the case and also considering the age of the petitioner and the fact that this petitioner has already suffered incarceration from 29.10.2024 and there are previous cases pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. 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, out of which, one surety shall be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kovilpatti, Thoothukudi 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 report before the respondent police daily at 05.30 p.m until further orders except on the days when the case is posted for hearing before the trial Court.

[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



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investigation or trial.

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[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

/ TRUE COPY /

19/11/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1. The Judicial Magistrate No.I,
Kovilpatti,
Thoothukudi District.

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



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2. Do through

The Chief Judicial Magistrate,
Thoothukudi District.

3. The Officer in Charge,
Sub Jail, Kovilpatti.

4. The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.

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

ORDER

IN

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Date : 19/11/2024

SL(19.11.2024)/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.