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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20072 of 2024

Balamurugan

S/o.Kasimayan @ Kasi

... Petitioner/ Sole Accused

Vs

State of Tamil Nadu,

Rep By,

The Inspector of Police,

Koodakovil Police Station,

Madurai.

Crime No.115/2024..

... Respondent/Complainant

For Petitioner : Mr.Kannan Gurusami,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.115/2024 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 03.09.2024 for the alleged offence under Section 103 of BNS, 2023, in Crime No.115 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had borrowed money from the deceased. On 02.09.2024, during the morning hours, there was some wordy quarrel between the deceased and the petitioner. On the same day at about 05.00 p.m., when the deceased was going on his own two wheeler, the petitioner is said to have chased and stopped him and stabbed him indiscriminately and caused multiple injuries.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and the manner in which the incident had taken place and also considering the fact that the petitioner has suffered incarceration from 03.09.2024 and there are no previous cases against the petitioner and the investigation is almost in verge of completion awaiting for the final opinion based on the chemical analysis, this Court is inclined

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

to grant bail to the petitioner subject to the following conditions:



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5. 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, Thirumangalam, 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 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].



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

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sd/-
20/11/2024

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/11/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023. 4

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM.
- 2 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE,
KODAKOVIL POLICE STATION,
MADURAI.
- 4 THE OFFICER IN CHARGE,
SUB JAIL,
VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



+1. CC to KANNAN GURUSAMI Advocate SR.No.14248

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ORDER
IN
CRL OP(MD) No.20072 of 2024
Date :20/11/2024

MGJ(20.11.2024) 5P 7C

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