



CRL OP(MD). No.20720 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20720 of 2024

Kalaikannan

... Petitioner/ Accused No.10

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Keelathooval Police Station,
Ramanathapuram District.
Crime No.143 of 2024..

... Respondent/ Complainant

For Petitioner : Mr.G.Vishnuram,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.143 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial



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custody on 09.09.2024 for the offences under Sections 191(2), 191(3), 49, 103(2) of BNS Act, 2023 in Crime No.143 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 29.05.2024, an incident took place, whereby, one Gopalsamy was done to death. The deceased in this case is said to be involved in that occurrence. He was arrested and remanded to judicial custody. Later, he was let out on bail. After complying with the condition, when he was moving out on 08.09.2024 at about 10.45 hrs, the accused persons are said to have assaulted the deceased with deadly weapons and caused his instantaneous death. There are totally 10 accused persons in this case and the petitioner is arrayed as A10.

3.The learned Additional Public Prosecutor submitted that it is a case of retaliation murder and tension prevails in that locality. Further, the learned Additional Public Prosecutor submitted that the petitioner, who has been arrayed as A10 does not have any previous cases.

4.The learned counsel appearing for the petitioner submitted that a false case has been foisted against the petitioner and he has nothing to do with the alleged offence. He further submitted that the petitioner will abide with any condition imposed by this Court.



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5. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

6. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 09.09.2024 and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

7. 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, Mudukulathur*, 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 stay at Trichy and report before the Trichy Fort police on daily at 10.30a.m., and 05.30p.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;



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[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 Act.

sd/-
27/11/2024

/ TRUE COPY /

27/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE
MUDUKULATHUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE,
KEELATHOOVAL POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

COPY TO:
THE INSPECTOR OF POLICE
TRICHY FORT POLICE STATION, TRICHY.

+1 CC to M/s.G.VISHNURAM, Advocate (SR-14602[I] dated 27/11/2024)

ORDER
IN
CRL OP(MD) No.20720 of 2024
Date :27/11/2024

SS/SAR- /27/11/2024/ 5P/8C

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