



CRL OP(MD). No.20243 of 2024

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

Date : 21/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.20243 of 2024

Kumar

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.
(Crime No. 204/2024).

... Respondent/Complainant

For Petitioner : Mr.V.S.Rishikesh, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 204 of 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 06.11.2024 for the offence under Sections 329(4), 296(b), 75(1) (ii) and 351(3) of BNS, 2023 in Crime No.204 of 2024 on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that the defacto complainant is a married woman. She was separated from her husband and she was living with her parents. On 05.11.2024, at about 01.00 a.m., the petitioner is said to have trespassed into the house of the defacto complainant and pulled her hands and the same was resisted and the petitioner is said to have abused the defacto complainant in filthy language and assaulted her and threatened her with dire consequences.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and the manner in which the incident had taken place and considering the fact that the petitioner has suffered incarceration from 06.11.2024 and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. 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, Tenkasi 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



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Book to ensure their identity.

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[b] the petitioner shall report before the respondent police daily at 05.30 p.m., for a period of three weeks and thereafter as and when required for interrogation.

[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.

sd/-
21/11/2024

/ TRUE COPY /

21/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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To

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1.The Judicial Magistrate,
Tenkasi.

2.Do through the Chief Judicial Magistrate,
Tenkasi District.

3.The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.

4.The Officer Incharge,
Sub Jail, Tenkasi.

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

+1 CC to M/s.N.VIGNESH, Advocate (SR-14357[I] dated 21/11/2024)

ORDER

IN

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Date :21/11/2024

ED/ /SAR- (21/11/2024) 4P / 7C

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