



CRL OP(MD). No.20297 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Jayaseelan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Melathur Police Station,
Thanjavur District.
(In Crime No. 437 of 2024).

... Respondent/Complainant

For Petitioner : Mr.S. Manojkumar, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 437 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 23.09.2024 for the offences under Section 194 of BNS (hereinafter referred to as new penal code) and subsequently altered to Sections 212 and 103 of new penal code in Crime No.437 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 16.09.2024, the petitioner under the



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influence of alcohol started abusing his father and ultimately, the petitioner is said to have crushed the neck of his father with a towel. As a result, the father was taken to the hospital and unfortunately, he succumbed to the injuries on 20.09.2024.

3.It is represented that the satisfaction Court is wrongly mentioned as the learned Judicial Magistrate No.II, Thanjavur, instead of the learned Judicial Magistrate No.III, Thanjavur.

4. Heard the learned Counsel appearing on either side.

5. Taking into consideration the facts and circumstances of the case and considering the fact that this petitioner has suffered incarceration from 23.09.2024 and the investigation has already been completed and the police report has been filed before the learned Judicial Magistrate No.III, Thanjavur for the offence under Sections 103 and 212 of new penal code, 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, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thanjavur, 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 Court below 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.

[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/-
22/11/2024

/ TRUE COPY /

22/11/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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LR

TO

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1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDHUKKOTTAI.

4 THE INSPECTOR OF POLICE,
MELATHUR POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER IN
CRL OP(MD) No.20297 of 2024
Date :22/11/2024

SA/SAR. /22.11.2024/4P/6C

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