



CRL OP(MD). No.20403 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

CRL OP(MD). No.20403 of 2024

Muthukumar

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
VK Puram Police Station,
Tirunelveli District.
Crime No.547/2024.

... Respondent/Complainant

For Petitioner : Mr.M.Pandian, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.547 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 17.10.2024 for the offences under Sections 304(2) of BNS (hereinafter



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referred to as new penal code) in Crime No.547 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 10.09.2024 when the complainant was going for a morning walk, the petitioner is said to have come in a two wheeler and snatched a covering chain.

3. Heard the learned Counsel appearing on either side.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are fifteen previous cases pending against the petitioner, out of which, in five cases he was convicted and sentenced for a similar offence. Therefore, he vehemently opposed the grant of bail to the petitioner.

5. The learned Counsel appearing for the petitioner submitted that there were previous cases against the petitioner and now the petitioner wanted to lead a normal life and he is staying away from this place. However, a false case has been foisted against the petitioner.

6. Taking into consideration the facts and circumstances of the case and considering the fact that there is no CCTV footage and it is not known as to how the petitioner was identified and also considering the fact that the petitioner has suffered incarceration from 17.10.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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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, Ambasamuthiram, 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 learned Judicial Magistrate, Ambasamuthiram, daily at 10.30 a.m until further orders.

[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].



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

sd/-
22/11/2024

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

LR

TO

1 THE JUDICIAL MAGISTRATE,
AMBASAMUTHIRAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
VK PURAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.M.PANDIAN, Advocate (SR-14404[I] dated 22/11/2024)



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ORDER

IN

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Date :22/11/2024

SA/SAR. /22.11.2024/5P/7C

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