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CRL OP(MD). No.20341 of 2024

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.20341 of 2024

1. Mani Barathi

2. Solaiappan Alias Solaiprabhu

... Petitioners/ Accused 1 & 2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.

Crime No. 498 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.G.Radhakrishnan, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 498 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who were arrested and remanded to judicial custody on 24.10.2024 for the offences under Sections 296(b), 132, 109(1) and 351(3) of BNS (hereinafter referred to as new penal code) and Section 25(1A) of Arms Act in Crime



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No.498 of 2024 on the file of the respondent police, seek bail.

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2. The case of the prosecution is that on 24.10.2024, the petitioners are said to be travelling in a car and the same was intercepted by the respondent police for regular surveillance. The petitioners are said to have abused the police officers in filthy language and threatened them with Aruval.

3. Heard the learned Counsel appearing on either side.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that the first petitioner (A1) has seven previous cases and the second petitioner (A2) having two previous cases, and these petitioners have already suffered incarceration from 24.10.2024, this Court is inclined to grant bail to the petitioners subject to the following conditions.

5. Accordingly, the criminal original petition is ordered and the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kovilpatti, Thoothukudi District 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.



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[b] the petitioners shall report before the learned Judicial Magistrate No.I, Kovilpatti, Thoothukudi District daily at 10.30 a.m until further orders.

[c] the petitioners shall appear before the trial Court during every hearing date without fail.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.I,
KOVILPATTI, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI.

4 THE INSPECTOR OF POLICE,
KOVILPATTI EAST POLICE STATION, THOOTHUKUDI DISTRICT.

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

ORDER IN

CRL OP(MD) No.20341 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.