



CRL OP(MD). No.20398 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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Mani @ Manikandan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Budalur Police Station,
Thanjavur District.
Crime No. 426/2024.

... Respondent/Complainant

For Petitioner : Mr.Dhilipan Pandian R L, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 426 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



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custody on 10.11.2024 for the offences under Sections 296(b) and 126(2) of BNS (hereinafter referred to as new penal code) and Section 25(1A) of Arms Act, 1959 in Crime No.426 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 10.11.2021, the petitioner is said to have threatened the defacto complainant with deadly weapon and abused him in filthy language and caused threat to him.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner has seventeen previous cases, out of which, two cases are murder cases. He further submitted that the petitioner is a habitual offender and he is regularly involved committing serious offences. Therefore, he vehemently opposed the grant of bail to the petitioner.

4. Per contra, the learned Counsel appearing for the petitioner submitted that a false case has been foisted against the petitioner only because there are previous cases pending against the petitioner. He further submitted that no such incident took place as was attempted to be projected by the prosecution.

5. Taking into consideration the facts and circumstances of the case and the manner, in which, the incident has been projected in the FIR and considering the fact that there are 17 previous cases pending against the petitioner and this petitioner has already suffered incarceration 10.11.2024 and also considering the fact that the



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petitioner has sustained injuries and he is now taking treatment before the Thanjavur Medical College Hospital, 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, Thiruvaiyaru, Thanjavur 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.

[b] the petitioner shall report before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District 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



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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

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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,
THIRUVAIYAR, THANJAVUR DISTRICT.

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

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR DISTRICT.

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

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

MADURAI

<https://www.hmc.tn.gov.in/judis>



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ORDER
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Date :22/11/2024

SA/SA/SAR. /22.11.2024/5P/6C

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