



CRL OP(MD). Nos.20645 & 20649 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). Nos.20645 & 20649 of 2024

Vignesh ... Petitioner/ Accused 3 in CrI.OP(MD) 20645 of 2024

Sivajothimurugan ... Petitioner/ Accused 4 in CrI.OP(MD) 20649 of 2024

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Pettai Police Station,
Tirunelveli,
Tirunelveli District,
(Crimen. 242 of 2024).

... Respondent/Complainant in both petitions

For Petitioners : Mr.N.Pragalathan, Advocate
(In both Petitions)

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor
(In both Petitions)

PETITIONS FOR BAIL Under Sec.483 of BNSS

COMMON PRAYER :- For Bail in Crime No. 242 of 2024 on the file of the
Respondent Police.

COMMON ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioners/A3,A4 , who were arrested and remanded to judicial



custody on 08.11.2024 and 02.11.2024 respectively for the offences under Sections 296(2), 109, 351(3) of BNS Act, 2023 in Crime No.242 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 29.10.2024, A1 picked up a quarrel with the son of the defacto complainant and he is said to have slapped on his cheek. The defacto complainant questioned the same and it became a wordy quarrel and at that point of time all the accused persons are said to have attacked the defacto complainant with deadly weapon and his son and son-in-law were also attacked and all the three sustained grievous injuries. There are totally 4 accused persons and the petitioners have been arrayed as A3 and A4.

3.The learned Additional Public Prosecutor submitted that there is a case and counter case registered in Cr.Nos.241 and 242 of 2024 and the same is under investigation by the respondent Police. He further submitted that in this case A1 died. There are no previous cases against the petitioners and all the three injured persons have been discharged from the hospital.

4. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

5.Taking into consideration the facts and circumstances of the case and considering the manner in which, the incident had taken place and considering the



fact that the petitioners have suffered incarceration from 08.11.2024 and 02.11.2024 respectively and also considering the fact that the injured have been discharged from the hospital, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6. Accordingly, these criminal original petitions are ordered and the petitioners are ordered to be released on bail on 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.5, Tirunelveli, 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 petitioners shall report before the respondent Police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned



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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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

sd/-
27/11/2024

/ TRUE COPY /

27/11/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

1 THE JUDICIAL MAGISTRATE NO.5,
TIRUNELVELI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE,
PETTAI POLICE STATION,
TIRUNELVELI,
TIRUNELVELI DISTRICT.



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

+2 CC to M/s.N.PRAGALATHAN, Advocate (SR-14589 & 14591[I] dated
27/11/2024)

ORDER
IN
CRL OP(MD). Nos.20645 & 20649 of 2024
Date :27/11/2024

SA/SAR. /27.11.2024/5P/8C

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