



CRL OP(MD). No.20643 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). No.20643 of 2024

Venkatesh

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
Cr.No.489/2024..

... Respondent/Complainant

For Petitioner : Mr.Dhilipan Pandian R L,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

Bail in Cr.No.489 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 09.11.2024 for the offences under Sections 126(2), 296(b), 308(5) & 351(3) BNS Act r/w 25(1-A) of Arms Act, 1959 in Crime No.489 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that on 09.11.2024, the petitioner along with other accused persons waylaid the defacto complainant and extorted a sum of Rs.1,000/- and also showed a sickle and threatened the defacto complainant. There are totally 2 accused persons and the petitioner has been arrayed as A2.

3. Heard the learned counsel appearing for the petitioner and the learned learned Additional Public Prosecutor appearing for the respondent.

4. Taking into consideration the facts and circumstances of the case and considering the manner in which, the prosecution has projected the case and considering the fact that the petitioner has 9 previous cases against him and A1 has already been granted anticipatory bail by this Court in Crl.O.P(MD) No.20435 of 2024, dated 22.11.2024, and the petitioner has suffered incarceration from 09.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. 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



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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;

[b] the petitioner shall report before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District at 10.30 a.m., until further orders;

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

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

[e] 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];

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

sd/-

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27/11/2024

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM



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TO
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- 1 THE JUDICIAL MAGISTRATE
THIRUVAIYARU, THANJAVUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR, THANJAVUR DISTRICT.
- 4 THE INSPECTOR OF POLIOCE,
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.20643 of 2024

Date :27/11/2024

SS/SAR- /27/11/2024/ 4P/6C

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