



CRL OP(MD). No.20832 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20832 of 2024

Sengolsesu

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Pattukottai Police Station,
Thanjavur District.
(Crime No. 536/2024.)

... Respondent/Complainant

For Petitioner : Mr.Sasikumar. R, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 536 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 17.09.2024 for the offences under Section 103 of BNS Act in Crime No.536 of 2024,



CRL OP(MD). No.20832 of 2024

on the file of the respondent Police, seeks bail.

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2. The case of the prosecution is that on 16.09.2024, one Thambusamy, who is the husband of the defacto complainant went to his godown and found that the petitioner, who was working under him had stolen a water can. When the petitioner was questioned, the petitioner is said to have attacked the deceased with a plunger in his head, resulting in his death.

3. The petitioner filed an earlier bail petition before this Court in Crl.O.P.(MD).No.18796 of 2024 and the same was dismissed by an order dated 29.10.2024 considering the manner in which the incident had taken place.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that in the course of investigation, it was ascertained that the petitioner had lent money to the deceased and when the petitioner insisted for the repayment, there was a wordy quarrel and the petitioner is said to have attacked the deceased with a plunger. He further submitted that the postmortem report has been received and the cause of death is now ascertained as head injuries.

5. The learned counsel appearing for the petitioner submitted that the petitioner has suffered incarceration from 17.09.2024 and that the investigation has almost been completed and therefore, requested before this Court to enlarge the petitioner on bail.



CRL OP(MD). No.20832 of 2024

WEB COPY

6. Taking into consideration the facts and circumstances of the case and considering the fact that the investigation has reached its fag end and the petitioner has suffered incarceration from 17.09.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

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, Pattukottai, 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 respondent police daily 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



CRL OP(MD). No.20832 of 2024

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, 2023.

sd/-
29/11/2024

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/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Judicial Magistrate,
Pattukottai, Thanjavur District.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Patukottai Police Station,
Thanjavur District.

4.The Officer Incharge
Sub Jail, Trichy District.



CRL OP(MD). No.20832 of 2024

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-14755[I] dated
29/11/2024)

ORDER
IN
CRL OP(MD) No.20832 of 2024
Date :29/11/2024

ED/ /SAR- (29/11/2024) 5P / 7C

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