



CRL OP(MD). No.20719 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.20719 of 2024

Muhesh @ Pattasu

... Petitioner/ Accused 5

Vs

The State of Tamil Nadu,
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
Crime No.562/2024.

... Respondent/Complainant

For Petitioner : M/s.Lenin .K, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.562/2024 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 12.11.2024 for the offences under Sections 189(2), 296(b), 115(2), 118(1),



CRL OP(MD). No.20719 of 2024

351(3) BNS Act r/w Section 3 of TNPPDL Act in Crime No.562 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that on 11.11.2024 at about 02.30p.m., the defacto complainant along with another person was awaiting in a bus stop. At that point of time, the accused persons are said to have flashed the head light of the two wheeler and when the same was questioned, there was a wordy quarrel and the defacto complainant is said to have been attacked with iron rod and wooden log. That apart, the house hold articles were also damaged in the house of the defacto complainant and damage was also caused to 2 two wheelers, to the total tune of Rs.2,10,000/- by the accused persons. There are totally 8 accused persons and the petitioner has been arrayed as A5.

3.The learned Additional Public Prosecutor submitted that in this case A1, A2 and A4 are absconding and the other accused persons were arrested and insofar as the present petitioner is concerned, there are two previous cases against him.

4.The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and he is nothing to do with the alleged offence.

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

6.Taking into consideration the facts and circumstances of the case and



CRL OP(MD). No.20719 of 2024

WEB COPY

considering the manner in which the incident had taken place and considering the fact that the petitioner has suffered incarceration from 12.11.2024 and there are some previous cases against the petitioner, 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 No.II, Ramanathapuram, 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 on daily at 10.30 a.m., for a period of three weeks, thereafter, as and when required for interrogation;

[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



CRL OP(MD). No.20719 of 2024

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/-
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.II,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM DISTRICT.

4 THE INSPECTOR OF POLICE,
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

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CRL OP(MD). No.20719 of 2024

ORDER
IN
CRL OP(MD) No.20719 of 2024
Date :27/11/2024

SA/SAR. /27.11.2024/5P/6C

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