



CRL OP(MD). No.21501 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Sudalaimuthu

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Ettayapuram Police Station,
Thoothukudi District.
Crime No.213 of 2024.

... Respondent/Complainant

For Petitioner : Mr.S. Malaikani, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.213 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/sole accused, who was arrested and remanded to judicial custody on 25.09.2024 for the offences under Sections 309(6) and 311 of BNS (hereinafter referred to as new penal code) in Crime No.213 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the defacto complainant was alone in her house, the accused persons came to the house and strangled her with a wire and seven sovereigns of gold thali chain was taken away.

3.The petitioner filed the first bail petition before this Court in Crl.O.P(MD) No.18279 of 2024 and the same was dismissed by order, dated 25.10.2024. The petitioner once again filed a petition in Crl.O.P(MD)No.19832 of 2024 and that petition was also dismissed by order dated 15.11.2024 on the ground that the investigation is pending. This petition has been filed on the ground that the investigation has been completed and therefore, there is change in circumstances.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the investigation has been completed and final report has been



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filed before the learned Judicial Magistrate No.II, Kovilpatti and it has been taken on
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file in P.R.C.No.88 of 2024. He further submitted that the case is posted on 18.12.2024
for committal. He further submitted that there are no previous cases pending against
the petitioner.

5.Taking into consideration the facts and circumstances of the case and
considering the fact that the petitioner has already suffered incarceration from
25.09.2024 and the investigation has already been completed and the case is now at
the stage of committal and there are no previous cases pending against the petitioner,
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 No.II, Kovilpatti, 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.



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[b] the petitioner shall report before the learned Judicial Magistrate No.II, Kovilpatti, daily at 10.30 a.m until the completion of the committal proceedings.

[c] the petitioner shall appear before the sessions court/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 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/-
09/12/2024

/ TRUE COPY /

09/12/2024
Sub-Assistant Registrar (WRIT)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

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TO
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1. THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
ETTAYAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MALAIKANI, Advocate (SR-15088[I] dated 09/12/2024)

ORDER
IN
CRL OP(MD) No.21501 of 2024
Date :09/12/2024

RK/ (09/12/2024) 5P / 7C

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