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CRL OP(MD). No.20838 of 2024

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.20838 of 2024

Maruthu @ Maruthupandi,

... Petitioner/ Accused No.9

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thattaparai Police Station,
Thoothukudi District.
Cr. No. 58/2024.

... Respondent/ Complainant

For Petitioner : Mr.K.Suyambulingabharathi,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.58 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.9, who was arrested and remanded to judicial custody on 08.09.2024 for the offences under Sections 296(b), 132, 118(1), 192, 351(3)

of BNS and Section 4 of TNPPDL Act in Crime No.58 of 2024, on the file of the

<https://www.mhc.tn.gov.in/judis>



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respondent Police, seeks bail.

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2. The case of the prosecution is that on 07.09.2024, there was a clash between two groups at Peravurani District Jail, Thoothukudi. When the same was questioned by the Jailor, the accused persons are said to have abused him in filthy language and criminally intimidated him and entered the room of the Jailor and damaged CCTV, LED lights and other properties worth Rs.50,000/-. There are totally 46 accused persons in this case and the petitioner has been arrayed as Accused No.9.

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

4. Taking into consideration the facts and circumstances of the case and also considering the fact that several other accused persons have been enlarged on bail and considering the fact that the petitioner has suffered incarceration from 08.09.2024 and taking note of the fact that there are two previous cases against the petitioner, 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, Ottapidaram 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 Book to ensure their identity.

[b] the petitioner shall report before the learned Judicial Magistrate, Ottapidaram 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 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.



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TSG

TO

1 THE JUDICIAL MAGISTRATE,
OTTAPIDARAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE DISTRICT.

4 THE INSPECTOR OF POLICE,
THATTAPARAI POLICE STATION, THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-14702[I] dated
29/11/2024)

ORDER IN
CRL OP(MD) No.20838 of 2024
Date :29/11/2024

SA/SAR. /29.11.2024/4P/7C

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