



CRL OP(MD). No.20835 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.20835 of 2024

Shunmuga Pandi,

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
Crime No.253/2024.

... Respondent/Complainant

For Petitioner : Mr.Arun Ramnath. A,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in P.R.C.No.76 of 2024 on the file of the learned Judicial Magistrate No.II, Kovilpatti in connection with the case in Crime no.253 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 16.08.2024 and was facing trial for the offence under Sections 194(1) and 103 of BNS, 2023 in P.R.C.No.76 of 2024 on the file of the learned Judicial Magistrate No.II, Kovilpatti, seeks bail.

2. The case of the prosecution is that the petitioner had lent some money to the

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deceased. When the same was not repaid back, the petitioner is said to have taken the deceased in a car to an isolated place and the deceased was attacked with iron rod and the body was burnt. Initially, the First Information Report was registered under Section 194(1) of BNS. Later, it has been altered for the offences under Sections 103(1) and 238(a) of BNS.

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 considering the fact that the investigation has been completed and the police report has been filed before the learned Judicial Magistrate No.II, Kovilpatti and it has been taken on file in P.R.C.No.76 of 2024 and also considering the fact that the petitioner has suffered incarceration from 16.08.2024 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.

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 No.II, Kovilpatti 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 trial Court every date of hearing without fail.

[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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29/11/2024
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 NO.II,
KOVILPATTI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE SUPERINTENDENT,
PALAYAMKOTTAI CENTRAL PRISON, TIRUNELVELI DISTRICT.

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

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

ORDER IN
CRL OP(MD) No.20835 of 2024
Date :29/11/2024

SA/SAR. /29.11.2024/4P/6C

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