



CRL OP(MD). No.20850 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.20850 of 2024

Herson Alias Kerson Raja

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
(Crime No. 833 of 2024).

... Respondent/Complainant

For Petitioner : Mr.P.Suresh, Advocate

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 833 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A2, who was arrested and remanded to judicial custody
on 14.10.2024 for the offences under Sections 126(2), 127(2), 296(b), 109(1), 351(3) of



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BNS Act, 2023 in Crime No.833 of 2024 on the file of the respondent police, seeks
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bail.

2. The case of the prosecution is that on 14.10.2024, there was a wordy quarrel between the defacto complainant and one Thangaselvan regarding entering into the temple. At about 10.00 a.m., the accused persons came in a two wheeler and they assaulted the defacto complainant causing injuries in his hand and index finger. There are 2 accused persons in this case and the petitioner is A2.

3.The learned Additional Public Prosecutor submitted that there are two previous cases against the petitioner and that the injured has already been discharged from the hospital.

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

5.Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 14.10.2024 and injured has been discharged from the hospital and taking note of the fact that the petitioner is having two previous cases, 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



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Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Valliyoor, 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 every Monday and Friday at 10.30a.m., for a period of eight 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 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];



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[f] If the accused thereafter absconds, a fresh FIR can be registered
under Section 269 of BNS Act.

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.

PNM

To

1.The Judicial Magistrate,
Valliyoor.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

4.The Superintendent,
Central Prison, Palayamkottai.

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

ORDER
IN
CRL OP(MD) No.20850 of 2024
Date :29/11/2024



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ED/ /SAR- (29/11/2024) 5P / 6C

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