



CRL OP(MD). No.20882 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.20882 of 2024

1. Hariharan

2. Saravanakumar Alias Vinoth

3. Mathivanan

... Petitioners/ Accused Nos.1, 2 and 5

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Devakottai Town Police Station,
(Cr. No. 205 of 2024).

... Respondent/Complainant

For Petitioners : Mr.S.Sathyachidambaram, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 205 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 petitioners / Accused Nos.1, 2 and 5, who were arrested and remanded to judicial custody on 12.11.2024 for the offence under Sections 310(4) of BNS, 2023 and 25(1-A) of Indian Arms Act, 1959 in Crime No.205 of 2024, on the file of the respondent Police, seek bail.

2. The case of the prosecution is that on 12.11.2024 the Police party was on routine patrol duty, they found that the accused persons had conspired to commit dacoity with deadly weapons. There are totally seven accused persons in this case and the petitioners have been arrayed as Accused Nos.1, 2 and 5.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that all the three accused persons are history sheeters and that there are five previous cases against Accused No.1 and ten previous cases against Accused Nos.2 and 5. The learned Additional Public Prosecutor vehemently opposed the grant of bail to the petitioners.

4. Per contra, the learned counsel appearing for the petitioners submitted that a false case has been foisted against the petitioners and that the petitioners have suffered incarceration from 12.11.2024.

5. Taking into consideration the facts and circumstances of the case and the manner in which the prosecution has projected this case and also considering the



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fact that the petitioners have suffered incarceration from 12.11.2024 and taking note of the previous cases against these petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Devakottai, Sivagangai District 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 petitioners shall report before the learned Judicial Magistrate, Devakottai, Sivagangai District. daily at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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.

TSG

To

- 1.The Judicial Magistrate,
Devakottai, Sivagangai District.
- 2.Do through the Chief Judicial Magistrate,
Sivagangai District.
- 3.The Inspector of Police,
Devakottai Town Police Station,
- 4.The Officer Incharge,
District Prison, Ramanathapuram.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

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Date :29/11/2024

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

Madurai Bench of Madras High Court is issuing certified copies in this format from
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