



CRL OP(MD). No.21039 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.21039 of 2024

1.Abishek,
2.Madhan Kumar,

... Petitioners/ Accused No.4& 5

Vs

The State of Tamilnadu,
Represented by,
The Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No.850 of 2024)

... Respondent / Complainant

For Petitioners: Mr.M.Mohamed Rafi,
Advocate.

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

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 850 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused 4 and 5, who were arrested and remanded to judicial custody on 05.11.2024 for the alleged offence under Sections 191(2), 191(3), 296(b), 132, 118(1), 109, 351(3) of BNS Act and Section 25(1)(a) of Arms Act, 1959, in Crime No.850 of 2024, on the file of the respondent police, seek bail.



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2. The case of the prosecution is that the accused persons had formed an unlawful assembly and A1 to A3 were in possession of deadly weapons and the petitioners, who are A4 and A5, were also present along with A1 to A3. All accused persons are said to have abused the defacto complainant who is a police official and other police officials in filthy language and also attempted to attack them.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and also considering the manner in which the prosecution has projected the case and considering the age of the petitioners and the fact that they are college going students and they have suffered incarceration from 06.11.2024, this Court is inclined to grant bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail on their 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 No.V, Tirunelveli, 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 petitioners shall report before the respondent Police on every Saturday and Sunday at 10.30 a.m. for a period of 6 weeks and thereafter, as and when required for interrogation.

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
02/12/2024

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02 / 12 / 2024

Sub-Assistant Registrar (C.O.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL



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TO

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1 THE JUDICIAL MAGISTRATE, NO.V, TIRUNELVELI.

2 DO-THROUGH

THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,

MANUR POLICE STATION, TIRUNELVELI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, TIRUNELVELI.

5. THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. MOHAMED RAFI. M Advocate SR.No.14772(I) dated 02/12/2024

ORDER

IN

CRL OP(MD) No.21039 of 2024

Date :02/12/2024

PSP/ /SAR /02.12.2024/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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