



CRL OP(MD). No.21031 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.21031 of 2024

Balu,

... Petitioner / Accused Rank not Known

Vs

The State of Tamil Nadu
represented by the Sub-Inspector of Police,
Sempatti Police Station,
Dindigul District.
(Crime No.343 of 2024)

... Respondents/Complainant

For Petitioner : Mr.P.Manikandan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.343 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 petitioner / Accused, who was arrested and remanded to judicial custody on 27.10.2024 for the alleged offences under Sections 194 of BNSS @ 105 of BNS, in Crime No.343 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused person had unauthorizedly erected electric fence around his property. On the date of occurrence, the deceased was trying to get hold of a rabbit and this rabbit had crossed the electric fence and in an attempt to grab, the deceased came into live contact with electric wire and as a result he was electrocuted.

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 considering the manner in which this incident had taken place and also taking into account the fact that the petitioner has suffered incarceration from 27.10.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on his 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, Athoor, Dindigul, and on further conditions that:-



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[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 daily at 10.30 a.m. for a period of 3 weeks and thereafter, as and when required.

[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/-
02/12/2024

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02/12/2024
Sub-Assistant Registrar (C.O)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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PAL

TO

1 THE JUDICIAL MAGISTRATE,
ATHOOR, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.

4 THE SUB-INSPECTOR OF POLICE,
SEMPATTI POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER IN
CRL OP(MD) No.21031 of 2024
Date :02/12/2024

SA/SAR. /02.12.2024/4P/6C

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