



CRL OP(MD). No.22575 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2024

PRESENT

The HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL OP(MD). No.22575 of 2024

M.Raja

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Tiruchendhur Temple Police Station,
Thoothukudi District,
Cr.No.74 of 2024.

... Respondent/Complainant

For Petitioner : Mr.K.Lenin, Advocate.

For Respondent : Mr.P.Kottaichamy, Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For Bail in Cr.No.74 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 06.05.2024, for the offences under Sections 294(b), 324, 397 and 506(ii) of IPC in Crime No.74 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 05.05.2024, the petitioner along with the



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other accused abused the defacto complainant in filthy language and attacked him.

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They have also committed robbery of Rs.500/- and a mobile phone worth Rs.1,000/- from the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner submits that the earlier application filed by this petitioner was dismissed on 25.06.2024. However, on 13.09.2024, the petitioner was granted bail, on the affidavit of undertaking given by one Jagadish Chandra Bose Kannan, who is running a water service show room, under whom, the petitioner was previously working. However, the said Jagadish Chandra Bose Kannan has refused to stand as a surety for this petitioner. Now the petitioner has renewed his application with another surety, namely, Mohammed Ali, S/o, Naseerdeen, who belongs to the petitioner's village and doing a finance business. He is prepared to furnish a surety for a sum of Rs.50,000/- for his appearance before the trial Court.

4.The learned Government Advocate (Crl.side) appearing for the respondent has raised objections that the petitioner has involved in similar such offences.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.Considering the nature of offence and the antecedents of the petitioner, the earlier application filed by this petitioner was dismissed. However, he was granted



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bail on 13.09.2024 on the undertaking given by one Jagadish Chandra Bose Kannan. It is reported that the said Jagadish Chandra Bose Kannan has resiled. Therefore, the petitioner has renewed this application with another surety, namely, Mohammed Ali, S/o, Naseerdeen, who belongs to the petitioner's village and doing a finance business.

7. Considering the fact that the petitioner has already been granted bail by this Court, the period of incarceration and now one Mohammed Ali, S/o, Naseerdeen, who belongs to the petitioner's village is prepared to furnish a surety for a sum of Rs.50,000/- for the petitioner's appearance before the trial Court, this Court is inclined to grant bail to this petitioner with certain conditions.

8. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on the following conditions:-

i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Tiruchendur, Thoothukudi, out of two sureties, the aforesaid Mohammed Ali, S/o, Naseerdeen, shall be one of the sureties and he shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand).

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;



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iii) The petitioner shall report before the respondent police daily at 10.30 a.m,
until further orders.

iv) The petitioner shall file an affidavit of undertaking before the respondent police that he will not indulge in any offence in future.

v) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.

vi) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
20/12/2024

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20/12/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN
TO

1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR, THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE SUPERINTENDENT, PERURANI SUB JAIL, THOOTHUKUDI DISTRICT.

4 THE INSPECTOR OF POLICE, TIRUCHENDHUR TEMPLE POLICE STATION,
THOOTHUKUDI DISTRICT.



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

ORDER
IN

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Date :20/12/2024

RS/IT/SAR-(20.12.2024) 5P 6C
Madurai Bench of Madras High Court is issuing
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