



CRL OP(MD). No.21055 of 2024

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

Date : 03/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Gopalakrishnan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
(Crime No. 325 of 2024).

... Respondent/Complainant

For Petitioner : Mr.M.Prabu, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 325 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 18.07.2024 for the alleged offences under Sections 103(1) @ 103(1), 191(3),



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61(2)(a) of BNS Act, in Crime No.325 of 2024, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the deceased bought a Cycle from one Gopi and after some time, the petitioner herein (A1) asked the deceased to return back the cycle. However, it was refused and hence, there was a previous enmity between the parties. On 14.07.2024, there was a scuffle between the parties and on 15.07.2024 when the deceased went out of the house, he is said to have been taken away by the accused persons and he was done to death. There are totally 5 accused persons in this case and the petitioner has been arrayed as A1.

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

4. The learned Additional Public Prosecutor submitted that the investigation has been completed and police report filed before the Judicial Magistrate No.I, Kovilpatti and the same has been taken on file in P.R.C.No.55 of 2024. The learned Additional Public Prosecutor further submitted that there are three previous cases pending against the petitioner. That apart, A2 to A5 have already been enlarged on bail.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the investigation has been completed and the case is now



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pending for committal and A2 and A5 have already been granted bail and taking note of the fact that there are three previous cases against the petitioner and the petitioner has suffered incarceration from 18.07.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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 No.I, Kovilpatti, 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 learned Judicial Magistrate No.I, Kovilpatti during every date of hearing without fail.

[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



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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/-
03/12/2024

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03/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

To

- 1.The Judicial Magistrate No.I,
Kovilpatti.
- 2.Do through the Chief Judicial Magistrate,
Thoothukudi District.
- 3.The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
- 4.The Superintendent,
Central Jail, Palayamkottai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai



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ORDER

IN

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Date :03/12/2024

ED/ /SAR- (03/12/2024) 5P / 6C

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