



CRL OP(MD). No.21138 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21138 of 2024

Arun @ Poochi Irulappan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
Crime No. 206/2024.

... Respondent/ Complainant

For Petitioner : Mr.R.Senthilkumar,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 206 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



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custody on 13.11.2024 for the alleged offences under Sections 296(b), 132, 109 of BNS Act and Section 3 of TNPPDL Act, in Crime No.206 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons abused the police officials in filthy language and also caused threat and damage to the two wheeler. There are totally 2 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 there are 9 previous cases pending against the petitioner, out of which, two cases pertain to Section 302 IPC. He further submitted that the petitioner is a history sheeter and he along with other accused persons threatened the police officials and therefore, he vehemently opposed grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and



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considering the manner in which, the case has been projected by the prosecution and the fact that the petitioner suffered incarceration from 13.11.2024 and taking note of the fact that there are previous cases against the petitioner, 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, Devakottai*, 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, Devakottai daily at 10.30 a.m., until further orders, except on those days, where the petitioner has to appear before the other Courts in the pending cases and he shall also report before the respondent police in this case daily at 05.30p.m., until further orders.

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



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[d] the petitioner shall not abscond either during investigation or trial.

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[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/-
03/12/2024

/ TRUE COPY /

03/12/2024

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

PNM
TO

1 THE JUDICIAL MAGISTRATE
DEVAKOTTAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE,
GOVERNMENT RAJAJI HOSPITAL PRISONER SECTION,
MADURAI.



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4 THE INSPECTOR OF POLICE,
DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.R.SENTHILKUMAR, Advocate (SR-14826[I] dated 03/12/2024)

ORDER
IN
CRL OP(MD) No.21138 of 2024
Date :03/12/2024

SS/SAR- /03/12/2024/ 5P/7C

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