



CRL OP(MD). No.21134 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

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1. Dhanalakshmi
2. Selvi
3. Duraisamy
4. Vellaithai
5. Selvaraj

... Petitioners/ Accused No.1 to 5

Vs

The State of Tamil Nadu,
The Inspector of Police,
Keeranur Police Station,
Dindigul District.
Crime No.179/2024.

... Respondent/Complainant

For Petitioners : Mr.M.Karunanithi, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.179/2024 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioners / Accused Nos.1 to 5, who were arrested and remanded to judicial custody on 13.10.2024 for the offence under Sections 191(2), 191(3), 296(b), 115(2), 304(2) and 103(1) of BNS in Crime No.179 of 2024 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that there was a property dispute between the parties. On 12.10.2024, at about 05.45 p.m., the deceased, who is the father of the defacto complainant questioned Accused Nos.1 to 5, who were ploughing the disputed land and the same resulted in a wordy quarrel. Accused No.1 attacked the deceased with wooden log on his head. Accused No.2 attacked the deceased with coconut stalk on his neck and Accused Nos.3 and 5 attacked the deceased with hands. The petitioners are Accused Nos.1 to 5.

3. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioners have suffered incarceration from 13.10.2024 and the Post-Mortem report now reflects the fact that the deceased died due to Coronary Artery Heart Disease and already A6 and A7 have been enlarged on bail in CrI.O.P(MD) No.20248 of 2024, by order, dated 21.11.2024, this Court is inclined



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to grant bail to the petitioners subject to the following conditions.

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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, Palani 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 petitioners shall report before the respondent Police 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

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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,
Palani.

2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
Keeranur Police Station,
Dindigul District.

4.The Superintendent,
Central Prison, Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
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