



CRL OP(MD). No.21238 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Sarathi,

... Petitioner / Accused No.1

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
(Crime No.32 of 2023)

... Respondent / Complainant

For Petitioner : Mr.A.Balaji,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.32 of 2023 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 No.1, who was arrested and remanded to judicial custody on 03.03.2023 for the alleged offences under Sections 341, 394 and 506(2) of IPC, in Crime No.32 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 20.02.2023 at about 2.30 p.m., the defacto complainant was intercepted by 3 unknown persons and they snatched his mobile phone and also a silver bracelet and cash. After threatening the defacto complainant, they fled the scene of occurrence. Based on the complaint, in the course of investigation, the accused persons were identified. There are totally 5 accused persons in this case and the petitioner has been arrayed as A1.

3. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that the investigation has been completed and the police report was filed and the case is now pending in S.C.No.236 of 2023 on the file of the learned Assistant Sessions Judge (Sub Court), Thiruchendur. He further submitted that PW1 to PW3 have already been examined. The learned Additional Public Prosecutor has also brought to the notice of this Court that there are 5 previous cases against the petitioner.



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

5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner is in judicial custody from 03.03.2023 and the case is already pending in Trial Court and taking note of the 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 Assistant Sessions Judge (Sub Court), Thiruchendur, 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 Assistant Sessions Judge (Sub Court), Thiruchendur daily at 10.30 a.m. apart from the hearing dates 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/-
04/12/2024

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04/12/2024
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1.The Assistant Sessions Judge (Sub Court), Thiruchendur
- 2.The Officer-in-Charge,
District Prison,
Thoothukudi.
- 3.The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.



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

+1 CC to M/s.A.BALAJI, Advocate (SR-14942[I] dated 04/12/2024)

ORDER
IN
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Date :04/12/2024

RK(04/12/2024) 5P / 6C

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