



CRL OP(MD). No.21287 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21287 of 2024

Sakthi

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Malaiyur Police Station,
Pudukkottai District.
Crime No.183 of 2024..

... Respondent/Complainant

For Petitioner : Mr.M. Ramu

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.183 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.21287 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner/Accused, who was arrested and remanded to judicial custody on 29.10.2024 for the offences under Section 296(b), 115(2), 118(1), 351(3) of BNS @ 296(b), 103 of BNS in Crime No.183 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there was a property dispute between the parties. On the date of incident, the deceased was walking in the street and the petitioner is said to have developed a wordy quarrel and attacked the deceased with an iron rod all over his body. The deceased died in the hospital.

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

4. Taking into consideration the facts and circumstances of the case and the manner in which, the incident had taken place and considering the fact that the petitioner has suffered incarceration from 29.10.2024 and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:



CRL OP(MD). No.21287 of 2024

WEB COPY

5. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on 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, Karambakudi*, 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 respondent police daily at 10.30 a.m., until further orders;

[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 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]*;



CRL OP(MD). No.21287 of 2024

[f] If the accused thereafter absconds, a fresh FIR can be registered under

WEB COPY

Section 269 of BNS Act.

sd/-
05/12/2024

/ TRUE COPY /

05/12/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

- 1 THE JUDICIAL MAGISTRATE
KARAMBAKUDI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
MALAIYUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
 - 4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.M.RAMU, Advocate (SR-14963[I] dated 05/12/2024)



WEB COPY



CRL OP(MD). No.21287 of 2024

ORDER
IN
CRL OP(MD) No.21287 of 2024
Date :05/12/2024

SS/SAR- /05/12/2024/ 5P/7C

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