



CRL OP(MD). No.21372 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.21372 of 2024

Kabilkumar

... Petitioner / Accused No.9

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Keelathuval Police Station,
Ramanathapuram District.
(Crime No.143 of 2024)

... Respondent / Complainant

For Petitioner : Mr.S.Ananthamurugan, Advocate.

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

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

PRAYER :-

For Bail in Crime No.143 of 2024 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.5, who was arrested and remanded to judicial custody on 09.09.2024 for the alleged offences under Sections 191(2), 191(3), 49 and 103(2) of BNS, in Crime No.143 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 29.05.2024, an incident took place, whereby, one Gopalsamy was done to death. The deceased in this case is said to be involved in that occurrence. He was arrested and remanded to judicial custody. Later, he was let out on bail. After complying with the condition, when he was moving out on 08.09.2024 at about 10.45 hrs, the accused persons are said to have assaulted the deceased with deadly weapons and caused his instantaneous death. There are totally 10 accused persons in this case and the petitioner is arrayed as A5.

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

4. Taking into consideration the facts and circumstances of the case and considering the overtact attributed against this petitioner, wherein, he is said to have attacked the deceased with aruval on his face and also considering the fact that the accused person has suffered incarceration from 08.09.2024 and taking note of the fact that there is one previous case against the petitioner, this Court is inclined to



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grant bail to the petitioner subject to the following conditions:

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5. 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 Principal Sessions Judge, Ramanathapuram, 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 is directed to stay at Karur and report before the Inspector of Police, Karur Town Police Station, Karur, daily at 10.30 a.m. and 05.30 p.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].



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

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Section 269 of BNS, 2023.

sd/-

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06/12/2024

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

PAL

To

1.The Principal Sessions Judge,
Ramanathapuram.

2.The Inspector of Police,
Keelathuval Police Station,
Ramanathapuram District.

3.The Officer Incharge,
District Prison, Ramanathapuram.

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

Copy to:

The Inspector of Police,
Karur Town Police Station,
Karur.

+1 CC to M/s.S.ANANTHAMURUGAN, Advocate (SR-15043[I] dated
06/12/2024)



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ORDER
IN
CRL OP(MD) No.21372 of 2024
Date :06/12/2024

ED/ /SAR- (06/12/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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