



CRL OP(MD). No.21340 of 2024

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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.21340 of 2024

Thannasi

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
(Crime No.294 of 2024).

... Respondent/Complainant

For Petitioner : Mr.S.Poornachandran,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.294 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial



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custody on 22.10.2024 for the offences under Sections 309(4), 309(6) of BNS in Crime

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No.294 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there was a previous dispute between the parties and at least 3 FIRs are pending. While so, on the date of occurrence, the petitioner is said to have assaulted the defacto complainant with wooden log and caused fracture in both the legs.

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

4.The learned Additional Public Prosecutor submitted that the petitioner is a history sheeter and there were 31 previous cases against the petitioner, out of which, 15 cases are pending as on date in various police stations. He further submitted that if the petitioner is let out on bail, he will continue to commit offence. Hence, he vehemently opposed grant of bail to the petitioner.

5.The learned counsel for the petitioner submitted that there was a previous dispute between the parties and the petitioner has suffered incarceration from 22.10.2024.



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6. Taking into consideration the facts and circumstances of the case and considering the fact that the injured has been discharged and the petitioner has suffered incarceration from 22.10.2024 and taking note of previous cases against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

7. 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, Kamuthi*, 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, Kamuthi daily at 10.30 a.m., except on those days where the petitioner has to attend the other pending cases before the Court. The petitioner shall appear before the respondent Police daily at 05.30 p.m.. Both the conditions shall be complied with until further orders;



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[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];

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

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



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- 3 THE INSPECTOR OF POLICE,
KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

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Date :05/12/2024

SS/SAR- /05/12/2024/ 5P/6C

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