



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). Nos.21334 & 21344 of 2024

Sanjay @ Sanjayraj

... Petitioner/ Accused in Crl.O.P(MD) No.21334/2024

1.C.Pravin

2.R.Rejeesh

... Petitioner/ Accused in Crl.O.P(MD) No.21344/2024

Vs

State of Tamil Nadu,
The Inspector of Police
Kaliakka Vilai Police Station,
Kanyakumari District
(Crime No.362/2024).

... Respondent/Complainant in both petitions

For Petitioners : Mr.A.Balakrishnan

(Crl.OP(MD)No.21334/2024)

Mr.M.J.Shabu Josh

(Crl.OP(MD)No.21344/2024)

For Respondent : Mr.S.Ravi,

Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.483 of BNSS

COMMON PRAYER :-

For Bail in Crime No.362 of 2024 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested and remanded to judicial



custody on 13.11.2024 for the alleged offences under Sections 118(1), 294(b) and 351 (3) of BNS and altered under Sections 118(1), 294(b), 351(3) and 103(1) of BNS, in Crime No.362 of 2024, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 04.11.2024, at mid-night hours, the deceased is said to have knocked the door of the neighbours' house. Accused Nos.1 and 4, who are the son and mother, on seeing the deceased, started attacking him and the deceased started running and in the meantime, all the other neighbours were alerted and all of them started attacking the deceased. The deceased sustained injuries and ultimately, he succumbed to the injuries. There are totally six accused persons in this case and the petitioners have been arrayed as Accused No.1 to 3.

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 the submissions made on either side and also considering the manner in which the entire incident had taken place in the spur of the moment and also considering the fact that already A4 was granted anticipatory bail by this Court on 27.11.2024 in CrI.OP(MD).No.20574 of 2024 and A5 was enlarged on bail by this Court on 02.12.2024 in CrI.O.P(MD) No.21033 of 2024 and there are no previous cases against this petitioner and the fact that the petitioners have suffered incarceration from 13.11.2024, this Court is inclined to grant bail to the petitioners subject to the



following conditions:

5. Accordingly, these criminal original petitions are ordered and the petitioners are ordered to be released on bail on 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 No.1, Kuzhithurai**, 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 daily at 05.30 p.m., for a period of 3 weeks, thereafter, 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];



*[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.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.I
KUZHITHURAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI AT NAGERCOIL.

3 THE SUPERINTENDENT,
DISTRICT JAIL, NAGERCOIL.

4 THE INSPECTOR OF POLICE
KALIAKKA VILAI POLICE STATION,
KANYAKUMARI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.A.BALAKRISHNAN, Advocate (SR-14981[I] dated 05/12/2024)

+1 CC to M/s.N.J.SHABU JOSE, Advocate (SR-14979[I] dated 05/12/2024)

ORDER IN
CRL OP(MD) No.21334 of 2024
Date :05/12/2024

BV (05/12/2024) 4P/ 8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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