



CRL OP(MD). No.21555 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21555 of 2024

Vijay

... Petitioner/ Accused No.2

Vs

The Sub Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
(Crime No. 542 of 2024).

... Respondent/Complainant

For Petitioner : Mr.R.Jagadeeshwaran, Advocate
For Respondent : Mr.S.Ravi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 542 of 2024 on the file of the respondent police...

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 17.11.2024 for the offences under Sections 308(4) of BNS (hereinafter referred to as new penal code) in Crime No.542 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant who was coming in his two wheeler was waylaid near a burial ground by two persons and a sum of Rs.3,500/- was robbed from him. There are totally two accused persons in this case and the petitioner has been arrayed as A2.



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3.The learned Additional Public Prosecutor appearing for the respondent police submitted that A2 committed the robbery along with juvenile, who has been arrayed as A1. He further submitted that there is one previous case pending against the petitioner.

4.Heard the learned Counsel appearing on either side.

5.Taking into consideration the facts and circumstances of the case and considering the manner, in which, the entire incident had taken place and also taking note of the age of the petitioner and also considering the fact that this petitioner has already suffered incarceration from 17.11.2024 and there is one previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6.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 No.II, Srivilliputhur, Virudhunagar District, 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.



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[b] the petitioner shall report before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District, daily at 10.30 a.m until further orders.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.

sd/-
09/12/2024

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09/12/2024

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

LR



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TO

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1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE OFFICER INCHARGE, DISTRICT PRISON, VIRUDHUNAGAR.

4 THE SUB INSPECTOR OF POLICE, SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.21555 of 2024

Date :09/12/2024

RS/IT/SAR-(09.12.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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