



CRL OP(MD). No.21559 of 2024

WEB COPY

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.21559 of 2024

Rajkumar @ Kumuli @ Kumuli Rajkumar

... Petitioner/1st Accused

Vs

The Inspector of Police,
Pettavaithalai Police Station,
Trichy District
(Crime No. 104 of 2024).

... Respondent/Complainant

For Petitioner : Mr.T.Lenin Kumar,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 104 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 16.10.2024 for the offences under Sections 296(b), 132 and 351(3) BNS (hereinafter referred to as new penal code) and Section 25(1B)(a) of Arms Act and Section 4(b) and



CRL OP(MD). No.21559 of 2024

5 of Explosive Substances Act and subsequently altered to Sections 296(b), 132 and 351(3) of new penal code and Section 25(1B)(a) of Arms Act and Sections 4(b) and 5 of Explosive Substances Act and Section 3(1) of TNPPDL Act in Crime No.104 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.10.2024, at about 22.30 hours, when the police was on patrol duty, they found a white color car near Pettavaithalai check post. When they asked the car to be stopped, the car did not stop and hit the barricade and came to a halt. When the police party went near the car, the accused persons are said to have shown the sickle and the petitioner had mentioned his name as Rajkumar and abused the police in filthy language and fled away in the car. According to the police, there are totally five persons inside the car. The next day on 16.10.2024, this car was found near Adhiyendhal Kanmaeikarai and the police surrendered the accused persons and two persons were arrested on the spot and the others escaped. On searching the car, the police found two country made pistols, sickle, sword and fire ammunition. There are totally five accused persons in this case and the petitioner has been arrayed as A1.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner has 39 previous cases against him out of which, eight cases are murder cases, in which, two cases are pending. That apart, there are



CRL OP(MD). No.21559 of 2024

eight previous cases of attempt to murder and thirteen cases of various other offences. He further submitted that unlicensed pistols were seized in this case and the petitioner is a habitual offender and hence, he vehemently opposed the grant of bail to the petitioner.

4. The learned Counsel appearing for the petitioner submitted that a false case has been foisted against the petitioner and that as on today, there are only six cases pending against the petitioner and that the entire case projected by the prosecution is unbelievable. He further submitted that in this case, the petitioner has suffered incarceration from 16.10.2024.

5. Taking into consideration the facts and circumstances of the case and the manner, in which, the prosecution has projected this case and considering the fact that A1 to A3 have been arrested in this case and the entire incriminating materials have been seized and taking note of the previous cases pending against the petitioner and considering that this petitioner has already suffered incarceration from 16.10.2024, 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



CRL OP(MD). No.21559 of 2024

learned District Munsif cum Judicial Magistrate, Srirangam, 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 District Munsif cum Judicial Magistrate, Srirangam, everyday at 10.30 a.m until further orders except on those days when the petitioner has to attend the other pending cases before the other Court.

[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].



CRL OP(MD). No.21559 of 2024

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

sd/-
09/12/2024
/ TRUE COPY /
09/12/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, SRIRANGAM.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE, PETTAVAITHALAI POLICE STATION,
TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-15089[I] dated 09/12/2024)

ORDER
IN
CRL OP(MD) No.21559 of 2024
Date :09/12/2024

RS/IT/SAR-(09.12.2024) 5P 7C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023