



CRL OP(MD). No.21464 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.21464 of 2024

Siva @ Sivakumar,  
S/o.Govindarasu

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu  
represented by the Inspector of Police,  
Malaiyur Police Station,  
Pudukkottai District.  
(Crime No.198 of 2024)

... Respondent / Complainant

For Petitioner : Mr.D.Rameshkumar,  
Advocate.

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

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

PRAYER :-

For Bail in Crime No.198 of 2024 on the file of the respondent Police.

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ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 13.11.2024 for the alleged offences under Sections 296(b), 118(1), 326(g), 351(3) of the BNS, in Crime No.198 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant married the sister of A1 against the wishes of the family members. In view of the same, there was a previous enmity between the parties. On 13.11.2024, the accused persons are said to have thrown petrol bombs inside the house of the defacto complainant and as a result, the mother of the defacto complainant was injured. The two wheeler was also set on fire and the same was also damaged. There are totally 2 accused persons in this case and the petitioner has been arrayed as A2.

3. The learned counsel for the petitioner submitted that the petitioner is only a friend to A1 and that he has been falsely roped in this case and that the petitioner is suffering incarceration from 13.11.2024.



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

5. Taking into consideration the facts and circumstances of the case and considering the manner in which this incident had taken place and also considering the fact that the petitioner has suffered incarceration from 13.11.2024 and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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 Judicial Magistrate, Karambakudi, Pudukkottai 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. 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, 2023.

sd/-  
06/12/2024

/ TRUE COPY /

06 /12 /2024  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

pal

<https://www.mhc.tn.gov.in/judis>



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TO COPY

- 1.The Judicial Magistrate,  
Karambakudi,  
Pudukkottai District.
2. -do through The Chief Judicial Magistrate, Pudukkottai.
- 3.The Officer-in-Charge,  
District Prison,  
Pudukkottai.
- 4.The Inspector of Police,  
Malaiyur Police Station,  
Pudukkottai District.
- 5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER  
IN  
CRL OP(MD) No.21464 of 2024  
Date :06/12/2024

RD(06/12/2024) 5P / 6C

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