



CRL OP(MD). No.21558 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.21558 of 2024

Rajarishi

... Petitioner/ Accused No.5

Vs

The State of Tamil Nadu,
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
Crime No.539/2024.

... Respondent/Complainant

For Petitioner : Mr.M..Prabu, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.539/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/A5, who was arrested and remanded to judicial custody on 27.11.2024 for the offences under Sections 311 of BNS (hereinafter referred to as new penal code) in Crime No.539 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was travelling in his car and the car was intercepted and the accused persons are said to have robbed his mobile phone and power bank worth Rs.12,500/-. There are totally nine accused persons in this case and the petitioner has been arrayed as A5.

3. Heard the learned Counsel appearing on either side.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the recovery has taken place from A1 and some of the accused persons have been granted bail and the petitioner has already suffered incarceration from 27.11.2024 and also taking note of the fact that there are five previous cases pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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5. 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, Kovilpatti, 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 No.II, Kovilpatti, 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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

lr

TO

1. THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4. THE INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.21558 of 2024
Date :09/12/2024

RK(09/12/2024) 5P / 6C

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