



CRL OP(MD). No.21551 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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(*) Thavasi @ Muthukannan

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Karuppayurani Police Station,
Madurai District.
(Crime No.102 of 2024)

... Respondent / Complainant

For Petitioner : Mr.A.Ramkumar,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.102 of 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 / Accused No.3, who was arrested and remanded to judicial custody on 16.10.2024 for the alleged offences under Sections 191(2), 191(3), 296(b), 126(2), 103(1), 351(3) of BNS, 2023, in Crime No.102 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the son of A1 was murdered by the family members of the defacto complainant 20 days prior to the present occurrence. As a retaliation, the accused persons are said to have formed as an unlawful assembly on 15.10.2024 at about 7.15 a.m. and attacked the defacto complainant and the deceased indiscriminately. As a result of which, the deceased died on the spot. There are totally 6 accused persons in this case and the petitioner has been arrayed as A3.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that the matter involves retaliation murder and also taking note of the fact that the petitioner has suffered incarceration from 16.10.2024 and A4 to A6 were already enlarged on bail by this Court in Crl.OP(MD).No.21028 of 23024 by an



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order dated 02.12.2024 and also taking note of the fact that there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. 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 No.II, Madurai, 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 stay at Trichy and report before the Inspector of Police, Fort Police Station, Trichy, daily at 10.30 a.m. and 05.30 p.m. until further orders.

[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.



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[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/-
18/12/2024

(*)For Amended as per Order of this Hon'ble Court dt.08/01/2025 in CrI.MP(MD).202/2025 in CrI.OP(MD).21551/2024.

Further time is extended by two weeks from the date of receipt of a copy of this order to comply the order of this Court in CrI.O.P.(MD). No.21551 of 2024 dated 18.12.2024.

/ TRUE COPY /

08/01/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.THE JUDICIAL MAGISTRATE NO.II, MADURAI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3.THE OFFICER-IN-CHARGE,
DISTRICT PRISON, DINDIGUL.

4.THE INSPECTOR OF POLICE,
KARUPPAYURANI POLICE STATION,
MADURAI DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE, FORT POLICE STATION, TRICHY

ORDER

IN

CRL OP(MD) No.21551 of 2024

Date :18/12/2024

RK (18/12/2024) 5P / 7C

PAL

SA/SAR. /08.01.2025/5P/7C

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