



CRL OP(MD). No.21611 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.21611 of 2024

Mottai Mani @ Manikandan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thanjavur TMCH Police Station,
Thanjavur District.
(Crime No.513 of 2024)

... Respondent/Complainant

For Petitioner	:	Mr.K.M.Karunakaran, Advocate.
For Respondent	:	Mr.S.Ravi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.513 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial custody on 10.11.2024 for the offences under Sections 296(b), 351(3) of BNSS r/w Section 25 (1-A) of Arms Act in Crime No.513 of 2024 on the file of the respondent



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Police, seeks bail.

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2. The case of the prosecution is that the petitioner was found in possession of a long aruval and he was threatening the general public and he was demanding money.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner is a history sheeter and there are 14 previous cases pending against the petitioner. He further submitted that the petitioner is repeatedly involved in committing crime and hence, 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 only on the ground that there are some previous cases pending against the petitioner.

5. This Court has carefully considered the submissions made on either side and the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the manner in which the incident had taken place and also taking note of previous cases against the petitioner and considering the fact that the petitioner has suffered incarceration from 10.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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7. 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.2, Thanjavur 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.2, Thanjavur daily at 10.30 a.m., until further orders, except on those days where the petitioner has to attend the pending cases before the other Courts.

[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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 of BNSS, 2023.

sd/-

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09/12/2024

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

TSG

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE, SUB JAIL, THANJAVUR.
- 4 THE INSPECTOR OF POLICE, THANJAVUR TMCH POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.21611 of 2024

Date :09/12/2024

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

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