



CRL OP(MD). No.21792 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Esakkiraj,

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Courtallam Police Station,
Tenkasi District.
(Crime No.436 of 2024)

... Respondent / Complainant

For Petitioner : Mr.K.Karansingh,
Advocate.

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

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

PRAYER :- For Bail in Crime No.436 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial



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custody on 30.11.2024 for the alleged offences under Sections 3(1) of TNPPDL Act, in Crime No.436 of 2024, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the accused persons, without any reasons, started pelting stones on the vehicles that were moving in the road on 29.11.2024 at about 10.45 p.m. As a result, the wind shield of a car and a lorry was damaged causing a total loss of Rs.17,500/-. There are totally 2 accused persons in this case and the petitioner has been arrayed as A2.

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 age of the petitioner and also taking note of the fact that the incident would have taken place probably due to influence of alcohol and the petitioner has also suffered incarceration from 30.11.2024, 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, out of which one surety shall be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate, Shencottai, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner is directed to deposit a sum of Rs.8,500/- (Rupees Eight Thousand and Five Hundred only) to the credit of Crime No.436 of 2024 before the learned Judicial Magistrate, Shencottai, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioner shall be enlarged on bail.

[c] the petitioner shall report before the respondent police on every Friday at 10.30 a.m. for a period of 6 weeks and thereafter, as and when required.

[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].



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

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Section 269 of BNS, 2023.

sd/-
11/12/2024

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11/12/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO

1 THE JUDICIAL MAGISTRATE,
SHENCOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TENKASI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, TENKASI.

4 THE INSPECTOR OF POLICE,
COURTALLAM POLICE STATION,
TENKASI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.21792 of 2024
Date :11/12/2024

SA/SAR. /11.12.2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.