



CRL OP(MD). No.21973 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.21973 of 2024

Sahaya Micheal Raja, ... Petitioner / Accused No.1

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.196 of 2024)

... Respondent / Complainant

For Petitioner : Mr.R.Ponkarthikeyan,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.196 of 2024 on the file of the respondent Police.

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



CRL OP(MD). No.21973 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 11.05.2024 for the alleged offences under Sections 120(b), 341, 342, 294(b), 324, 307, 302 and 506(ii) of IPC, in Crime No.196 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a previous conflict between the parties. Keeping this in mind, the accused persons, on 08.05.2024 at about 1.30 a.m., are said to have attacked the de-facto complainant and his father, who is the deceased, with dangerous weapons and as a result, the father died. There are totally fourteen accused persons in this case and the petitioner has been arrayed as A1.

3. The learned Additional Public Prosecutor submitted that the petitioner was detained under Act 14 of 1982, and the detention order was put to challenge before this Court in H.C.P.(MD)No.868 of 2024 and the detention order was quashed by an order dated 09.12.2024. The learned Additional Public Prosecutor further submitted that there are four previous cases as against the petitioner. Apart from that, the investigation has been completed and the police report has also been filed on 06.08.2024 before the learned Judicial Magistrate, Radhapuram.



CRL OP(MD). No.21973 of 2024

WEB COPY

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 fact that the petitioner has suffered incarceration from 11.05.2024, and considering the fact that the investigation has already been completed and the police report has also been filed before the concerned Court, and also taking note of the fact that there are four 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 Judicial Magistrate Court, Radhapuram, 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.



CRL OP(MD). No.21973 of 2024

WEB COPY

[b] the petitioner shall report before the learned Judicial Magistrate, Radhapuram daily at 10.30 a.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.

[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/-
13/12/2024

/ TRUE COPY /

13/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn



CRL OP(MD). No.21973 of 2024

TO
WEB COPY

- 1.THE JUDICIAL MAGISTRATE,
RADHAPURAM.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
 - 3.THE OFFICER-IN-CHARGE,
CENTRAL PRISON,
PALAYAMKOTTAI.
 - 4.THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to M/s.R.PONKARTHIKEYAN, Advocate (SR-15391[I] dated 13/12/2024)

ORDER
IN
CRL OP(MD) No.21973 of 2024
Date :13/12/2024

RK (13/12/2024) 5P / 7C
Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023