



CRL OP(MD). No.22070 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Selvam

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Seethaparpanallur Police Station,
Tenkasi District.
(Crime No.288 of 2024)

... Respondent/Complainant

For Petitioner : Mr.V.M.Jegadeesha Pandian, Advocate.
For Respondent : Mr.S.Ravi, Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.288 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 23.11.2024 for the alleged offences under Sections 296(b), 109, 351(3) of BNS Act, in Crime No.288 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner asked for lift in a two



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wheeler, and since the de-facto complainant was not willing to give lift, the petitioner is said to have attempted to attack the de-facto complainant with a sickle and also threatened him with dire consequences. The petitioner was arrested in another case in Crime No.576 of 2024 pending investigation before the Thalaiyuthu Police Station on 26.11.2024. While he was in custody in that case, he was formally arrested in this case also on the same day, and he was produced before the Court through P.T. Warrant, and was remanded to judicial custody on 02.12.2024.

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

4. The learned Additional Public Prosecutor submitted that there are eight previous cases as against the petitioner, and that the petitioner is repeatedly involved in committing offences. Therefore, the learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, and considering the manner in which the prosecution has projected this case, and taking note of the fact that the petitioner has been enlarged on bail in the other case in Crime No.576 of 2024 by the sessions Court, and also considering the fact that the petitioner has suffered incarceration from 26.11.2024 and was formally remanded to judicial custody on 02.12.2024, this Court is inclined to grant bail to the petitioner subject to



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the following conditions:

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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 learned Judicial Magistrate, Aalangulam, Tenkasi District, 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 Valliyur and report before the learned Judicial Magistrate, Valliyur daily at 10 a.m. for a period of 30 days and thereafter, shall report before the respondent police as and when required for the interrogation.

[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 BNS, 2023.

sd/-

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13/12/2024

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

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TO

1 THE JUDICIAL MAGISTRATE, AALANGULAM, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TENKASI DISTRICT.

3 THE INSPECTOR OF POLICE, SEETHAPARPANALLUR POLICE STATION,
TENKASI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

COPY TO

1 THE JUDICIAL MAGISTRATE,
VALLIYUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



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ORDER

IN

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Date :13/12/2024

RS/IT/SAR-(13.12.2024) 5P 8C

Madurai Bench of Madras High Court is issuing
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