



CRL OP(MD). No.22185 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22185 of 2024

Balamurugan Alias Kozhi,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Seethaparpanallur Police Station,
Tirunelveli District.
Cr. No. 286 of 2024..

... Respondent/Complainant

For Petitioner : Mr.Ashok.S,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 286 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 24.11.2024 for the offences under Sections 296(b), 311, 351(3) of BNS in Crime No.286 of 2024 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner by showing an aruval threatened the *defacto* complainant and robbed a sum of Rs.700/- from him.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner has four previous cases against him and that the petitioner is repeatedly involved in such offence and the petitioner was arrested and remanded to judicial custody only on 22.11.2024. Therefore, he 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. In order to substantiate this submission, he specifically relied upon the FIR that was registered in Crime No.292 of 2024 on 26.11.2024 and submitted that the respondent Police is having a stock complainant,



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purposes.

who gives such complaints against accused persons and it is used for statistical

5. Taking into consideration the facts and circumstances of the case and considering the ground that has been raised by the learned counsel appearing for the petitioner and also considering the fact that the accused persons in Crime No.292 of 2024 was enlarged on bail by this Court, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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, Alangulam, Tirunelveli 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 report before the learned Judicial Magistrate, Alangulam,



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Tirunelveli District daily at 10.30 a.m. until further orders.

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[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/-
17/12/2024

/ TRUE COPY /

17/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE
ALANGULAM TIRUNELVELI DISTRICT



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
SEETHAPARPANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

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

+2 CC to M/s.S.ASHOK, Advocate (SR-15509[I] dated 17/12/2024)

ORDER

IN

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Date :17/12/2024

SS/SAR- /17/12/2024/ 5P/8C

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