



CRL OP(MD). No.22284 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22284 of 2024

Senthur @ Kadalmani

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Seethaparpanallur Police Station,
Tirunelveli District.
(Crime No.282 of 2024)

... Respondent / Complainant

For Petitioner : Mr.N.Pragalathan,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.282 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 17.11.2024 for the alleged offences under Sections 296(b), 309(4), 311, 351(3) of BNS, 2023, in Crime No.282 of 2024, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner waylaid the defacto complainant and robbed a sum of Rs.1,250/- by showing aruval.

3. The learned Additional Public Prosecutor submitted that the petitioner has 4 previous cases against him. He further submitted that the petitioner was involved in another case in Crime No.648 of 2024 and he was arrested in that case on 17.11.2024. Thereafter, the petitioner was formally arrested in this case on 19.11.2024 and he was taken into judicial custody on 25.11.2024. Considering the previous cases against the petitioner, the learned Additional Public Prosecutor vehemently opposed the grant of bail to the petitioner.

4. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner. He further submitted that the petitioner has suffered incarceration in this case from 19.11.2024.

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



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6. Taking into consideration the facts and circumstances of the case and considering the nature of allegation made against the petitioner and taking note of the fact that the petitioner was formally arrested in this case when he was already in judicial custody in another case in Crime No.648 of 2024 and considering the fact that the petitioner has suffered incarceration from 19.11.2024 and also taking note of the previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

7. 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, Alangulam, 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 report before the learned Judicial Magistrate, Alangulam, Tenkasi District daily at 10.30 a.m. and before the respondent police daily at 05.30 p.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/-
18/12/2024

/ TRUE COPY /

18/12/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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PAL
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TO

- 1 THE JUDICIAL MAGISTRATE
ALANGULAM, TENKASI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SEETHAPARPANALLUR POLICE STATION,
SEETHAPARPANALLUR,
TIRUNELVELI DISTRICT
- 4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-15629[I] dated 18/12/2024)

ORDER
IN

CRL OP(MD) No.22284 of 2024

Date :18/12/2024

SS/SAR- /18/12/2024/ 5P/7C

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