



CRL OP(MD). No.22363 of 2024

WEB COPY

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.22363 of 2024

Sonaimuthu,

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
(Crime No.189 of 2024)

... Respondent / Complainant

For Petitioner : Mr.B.Mahendrarajan,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.189 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial



CRL OP(MD). No.22363 of 2024

custody on 22.11.2021 for the alleged offences under Sections 296(b), 118(1), 351(3) of BNS @ U/s. 296(b), 118(1), 351(3), 109 of BNS @ U/s. 49, 191(2), 191(3), 296(b), 118(1), 351(3), 109 of BNS, in Crime No.189 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 13.09.2024 at about 03.30 p.m., the defacto complainant was sitting in front of his workshop. At that point of time, the accused persons are said to have abused him in filthy language and assaulted him with sickle, as a result of which, he sustained serious injuries. There are totally 6 accused persons in this case and the petitioner has been arrayed as A3.

3. The learned Additional Public Prosecutor submitted that the petitioner is a history sheet rowdy and he has 18 previous cases against him. The learned Additional Public Prosecutor further submitted that the injured has been discharged from the hospital. 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 20.10.2024.



CRL OP(MD). No.22363 of 2024

WEB COPY

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

6. Taking into consideration the facts and circumstances of the case and considering the fact that the injured has already been discharged from the hospital and the petitioner has suffered incarceration from 20.10.2024 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, Paramakudi, Ramanathapuram 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.



CRL OP(MD). No.22363 of 2024

WEB COPY

[b] the petitioner shall report before the learned Judicial Magistrate, Paramakudi, Ramanathapuram District daily at 10.30 a.m. and before the respondent police daily at 05.30 p.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/-
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.

PAL



CRL OP(MD). No.22363 of 2024

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PARAMAKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL JAIL, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.22363 of 2024

Date :18/12/2024

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

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