



CRL OP(MD). No.22369 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.22369 of 2024

Madhan @ Madhankumar

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.439 of 2024)

... Respondent / Complainant

For Petitioner : Mr.R.Balamuruganantham,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.439 of 2024 on the file of the respondent Police.

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



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ORDER : The Court made the following order :-

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The petitioner / Accused No.3, who was arrested and remanded to judicial custody on 11.11.2024 for the alleged offences under Sections 310(4), 310(5) of BNS, in Crime No.439 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were preparing themselves to commit a robbery and they were in possession of deadly weapons. There are totally five accused persons in this case and the petitioner has been arrayed as A3.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner has 4 previous cases, out of which, 3 cases are under 307 of IPC. He further submitted that the petitioner is repeatedly involved in commission of offence and 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 and that the petitioner has suffered incarceration from 11.11.2024 onwards.



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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 the manner in which the prosecution has projected the case and also considering the fact that A1 and A5 were already granted bail by this Court in Crl.OP(MD).No.22215 of 2024 by an order dated 17.12.2024 and also taking note of the previous cases against the petitioner, this Court is inclined to grant bail to the petitioners 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 Court, Manamadurai, Sivagangai 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.



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[b] the petitioner shall report before the learned Judicial Magistrate Court, Manamadurai, Sivagangai District 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/-
18/12/2024

/ TRUE COPY /

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

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TO

1.THE JUDICIAL MAGISTRATE, MANAMADURAI, SIVAGANGAI DISTRICT,

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



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2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3.THE OFFICER-IN-CHARGE,
DISTRICT PRISON,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.

4.THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.22369 of 2024

Date :18/12/2024

RK/ (18/12/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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