



CRL OP(MD). No.22568 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22568 of 2024

Ramesh,

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.522 of 2021)

... Respondent / Complainant

For Petitioner : Mr.S.Ramanathan,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.522 of 2021 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



CRL OP(MD). No.22568 of 2024

22.11.2024 for the alleged offences under Sections 304(ii) of IPC and 177 of Motor

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Vehicle Act, in Crime No.522 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant, the deceased, the petitioner and others were travelling in a car. The vehicle met with an accident and one person died due to head injury. There are totally 8 accused persons in this case and originally, the petitioner was arrayed as A2.

3. The investigation was completed and police report was filed and it was taken on file in P.R.C.No.17 of 2023. The petitioner and another accused person were absconding and therefore, the case was split up and insofar as the petitioner and the other accused person, who have now been arrayed as A3 and A4, P.R.C.No.30 of 2023 was assigned. The main case is now pending in S.C. No.215 of 2023 before the learned Additional District and Sessions Judge, Paramakudi. In P.R.C.No.30 of 2023, NBW was issued earlier on 29.02.2024 and the petitioner was able to be secured only on 22.11.2024 and was produced before the Court and he was remanded to judicial custody. The petitioner has now been assigned the rank of A4.

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



CRL OP(MD). No.22568 of 2024

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5. Taking into consideration the facts and circumstances of the case and considering the fact that the case is still pending and the petitioner has suffered incarceration from 22.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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 District Munsif -cum- Judicial Magistrate, Kamuthi, 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.

[b] the petitioner shall report before the learned District Munsif -cum- Judicial Magistrate, Kamuthi, Ramanathapuram District during every date of hearing in P.R.C.No.30 of 2023 till the case is committed to the file of the learned Additional District and Sessions Judge, Paramakudi and thereafter, to appear before the Sessions Court during every date of hearing without fail.



CRL OP(MD). No.22568 of 2024

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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/-
20/12/2024

/ TRUE COPY /

20/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

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CRL OP(MD). No.22568 of 2024

TO
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- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, PARAMAKUDI.
 - 2 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KAMUTHI, RAMANATHAPURAM DISTRICT.
 - 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
 - 4 THE INSPECTOR OF POLICE,
ABIRAMAM POLICE STATION,
RAMANATHAPURAM DISTRICT,
 - 5 THE OFFICER INCHARGE,
SUB JAIL, MUDHUKULATHUR.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.S.MUNIYANDI, Advocate (SR-15783[I] dated 20/12/2024)

ORDER
IN

CRL OP(MD) No.22568 of 2024

Date :20/12/2024

SA/SAR- /20/12/2024/ 5P/8C

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