



CRL OP(MD). No.22742 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Mariappan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
(Crime No.636 of 2024).

... Respondent/ Complainant

For Petitioner	:	Mr.M.Manikandan, Advocate
For Respondent	:	Mr.S.Ravi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.636 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 13.11.2024 for the offences under Section 296(b), 132, 224, 109(1) and 351(3) of BNS (hereinafter referred to as new penal code) and under Section 25(1A) of Arms Act in



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Crime No.636 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the accused persons were found sitting near a graveyard and when the police enquired them, they suddenly started to abuse the police in filthy language and tried to assault them with Aruval. There are totally three accused persons in this case and the petitioner has been arrayed as A1.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner has 24 previous cases against him and he is a history sheet rowdy. He therefore vehemently opposed the grant of bail to the petitioner.

4. The learned Counsel appearing for the petitioner submitted that the false case has been foisted against the petitioner based on the previous cases pending against the petitioner.

5. Taking into consideration the facts and circumstances of the case and considering the manner, in which the prosecution has projected this case and taking note of the fact that the petitioner has suffered incarceration from 13.11.2024 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.

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



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ten thousand only) with two sureties, each for a like sum to the satisfaction of the

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learned Judicial Magistrate No.II, Kovilpatti, 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 No.II, Kovilpatti, daily at 10.30 a.m until further orders.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 BNS 2023.

sd/-

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20/12/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE, KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

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Date :20/12/2024

RS//SAR-(20.12.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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