



CRL OP(MD). No.22725 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.22725 of 2024

1.Ramesh @ Rameshkumar
2.Sathishkumar

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Crime No.623 of 2024)

... Respondent / Complainant

For Petitioners : Mr.C.Senthil Murugan, Advocate.
For Respondent : Mr.S.Ravi, Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 623 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused 1 & 2, who were arrested and remanded to judicial custody on 05.12.2024 for the alleged offence under Sections 296(b) and 351(3) of BNS, 2023 r/w. Section 25(1-A) of Arms Act, in Crime No.623 of 2024, on the file of the respondent police, seek bail.



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2. The case of the prosecution is that the petitioners, who are habitual offenders, are said to have threatened the general public by showing deadly weapons.

3. The learned Additional Public Prosecutor submitted that A1 has 9 previous cases against him and A2 has 7 previous cases against him and they are history sheet rowdies and they are repeatedly involved in commission of crime and hence, the learned Additional Public Prosecutor vehemently opposed the grant of bail to the petitioners.

4. The learned counsel for the petitioners submitted that a false case has been foisted against the petitioners since they had some previous cases against them.

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 manner in which the case has been projected in this case and also taking note of the previous cases against the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their 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, Thiruvaiyaru, and on further conditions that:-



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[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 petitioners shall report before the learned Judicial Magistrate, Thiruvaiyaru daily at 10.30 a.m. until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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TO செய்து அளித்தல்

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1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT PRISON, THANJAVUR.

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

ORDER

IN

CRL OP(MD) No.22725 of 2024

Date :20/12/2024

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

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