



CRL OP(MD). No.22759 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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Purushothaman

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
Crime No. 421/2024.

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian R L,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 421 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on



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12.12.2024 for the offences under Section 303(2) BNS (hereinafter referred to as new penal code) in Crime No.421 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 27.07.2024, the vehicle belonging to the defacto complainant was found missing. On 03.08.2024, the defacto complainant found that the vehicle was driven by someone else and when he was enquired, he stated that his name is Puniya Moorthy and that his father Hariharan had stolen the vehicle and he was driving the vehicle. There are totally four accused persons in this case and the petitioner has been arrayed as A4.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that A1 and A4 had instructed A2 and A3 to commit various offences and that A1 himself had indulged in the offence of stealing the two wheeler and that all the four accused persons were involved in committing offences with prior understanding. He further submitted that there are three previous cases against the petitioner.

4. Heard the learned Counsel appearing on either side.



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5. Taking into consideration the facts and circumstances of the case and considering the manner, in which this petitioner is said to be roped in in this case and taking into account the allegation made in the FIR and also taking note of the fact that there are three previous cases against the petitioner and also taking note of the fact that the petitioner has suffered incarceration from 12.12.2024, 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 ten thousand only)** with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Thiruvaiyaru, Thanjavur 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 **Judicial Magistrate, Thiruvaiyaru, Thanjavur District** every Monday and Friday at 10.30 a.m for a period of four weeks and thereafter, as and when required by the respondent police for interrogation.



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without fail.

[c] the petitioner shall appear before the trial Court during every hearing date

[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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.

sd/-
20/12/2024

/ TRUE COPY /

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

LR



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TO
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- 1 THE JUDICIAL MAGISTRATE
THIRUVAIYARU, THANJAVUR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR, THANJAVUR DISTRICT.
- 4 THE INSPECTOR OF POLICE,
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.22759 of 2024
Date :20/12/2024

SA/SAR- /20/12/2024/ 5P/6C

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