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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Date : 07.02.2025

PRESENT

The Hon`ble Mr.Justice MRS.JUSTICE L.VICTORIA GOWRI

CRL OP.No.801 of 2025

Thirumoorthy ... Petitioner/Accused

Vs

State represented by
The Inspector of Police,
Annur Police Station,
Coimbatore,
Crime No.729 of 2024 ... Respondent/Complainant

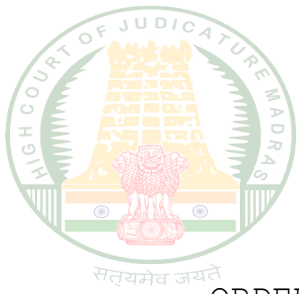
For Petitioner : Mr.R.Vasanthanayagan
Advocate.

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. side)

PETITION FOR BAIL Under Sec.483 of BNSS.

PRAYER :-

For Bail in Crime No.729 of 2024 on the file of
the respondent police



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ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on 14.12.2024 for the offence punishable under Sections 105 of BNS r/w. Section 135(1)(e) and 138(1)(a) of Electricity Act, 2003, in Crime No.729 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the son of the deceased and it is stated that his father has went to the agriculture field for his work, however, he did not return to his home. In search of his father, the defacto complainant and his mother came to know that his father passed away on account of electricity line passed through the agricultural land. Hence, the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the defacto complainant has

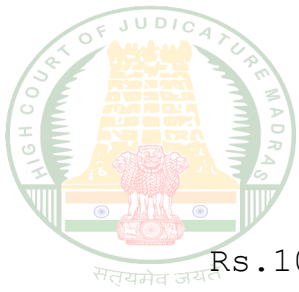


given a false complaint, based on which, the petitioner herein was arrested on 14.12.2024. He would submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The learned Government Advocate (Crl. Side) would submit this is the second bail application and this Court had dismissed the earlier bail application by an order dated 27.12.2024. He further submitted that the petitioner has installed illegal electric fencing to his land, which led to the death of the defacto complainant's father due to electrocution.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 14.12.2024, I am inclined to enlarge the petitioner on bail with certain conditions

6. Accordingly, this Criminal Original Petition is allowed 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

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sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Annur;

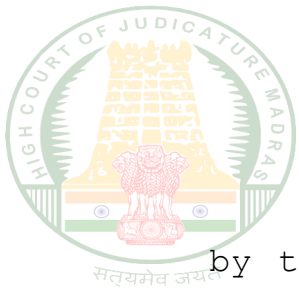
(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the District Munsif cum Judicial Magistrate, Annur; daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial.

(v) 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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(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(L V G J)
07.02.2025

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TO

1. The District Munsif cum Judicial Magistrate,
Annur.
2. The Superintendent,
Central Jail, Coimbatore.
3. The Inspector of Police,
Annur Police Station,
Coimbatore,
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

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ORDER
IN
CRL OP.No.801 of 2025

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