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CrI.O.P.No.490 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.490 of 2025

Paruthi @ Paruthivalavan

... Petitioner

Vs.

State represented by:
The Inspector of Police,
B-1 Police Station,
Dharmapuri.
(Cr.No. 394/2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused No.4 on bail in
PRC No. 17 of 2024 pending on the file of Judicial Magistrate No.1 at
Dharmapuri.

For Petitioner : Mr.Thangavadanabalakrishan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)

ORDER

Petition seeking bail in respect of Crime No. 394 of 2024 registered for
the offences punishable under Sections 103(2), 190, 191(2), 191(3), 296, 332(a),
351(3), 61(2) of BNS, 2023 is on board for consideration.



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2.The incarceration of the petitioner being from 28.07.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is no way connected with the alleged offences and he is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner, who is A4, along with A1 to A3 is said to have attacked the son of the de facto complainant with deadly weapons owing to a love affair between the de-facto complainant's son and sister of A1 and A2 resulting in his death. He further submits that investigation has been completed in this matter.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, including the counter affidavit filed by the respondent and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with



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two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Dharmapuri 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 I, Dharmapuri on all working days at 10.30 .m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 B.N.S.

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A.D.JAGADISH CHANDIRA, J.
sai

To

1. The Judicial Magistrate No.1
Dharmapuri.
2. The Inspector of Police,
B-1 Police Station,
Dharmapuri.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

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