



CRL OP(MD). No.242 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Viswa @ Viswanathan,

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Emaneswaram Police Station,
Ramanthapuram District.
(Crime No.176 of 2024)

... Respondent / Complainant

For Petitioner : Mr.S.Muniyandi,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.176 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.3, who was arrested and remanded to judicial



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custody on 17.10.2024 for the alleged offences under Sections 103(1) and 127(2) of BNS, in Crime No.176 of 2024, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the deceased and the petitioner and 2 others are friends. There was some previous dispute and on 15.10.2024 at about 07.30 p.m., the petitioner and 2 others came to the house of the defacto complainant and called the deceased. He travelled along with them in a car. Thereafter, the accused persons are said to have done to death the deceased. There are totally 3 accused persons in this case and the petitioner has been arrayed as A3.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 17.10.2024 and the investigation is yet to be completed and also taking note of the fact that there are 11 previous cases against the petitioner, out of which, 7 cases are for IPC offences and also taking note of the fact that A2 was already enlarged on bail by this Court in Crl.OP(MD).No.22319 of 2024 by an order dated 18.12.2024, this Court is



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inclined to grant bail to the petitioner subject to the following conditions:

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5. Accordingly, the petitioner is ordered to be released on bail on his 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 Court, Paramakudi, 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 respondent police daily at 10.30 a.m. and 05.30 p.m. until further orders.

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

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



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[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 BNS, 2023.

sd/-
08/01/2025

/ TRUE COPY /

08/01/2025

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

PAL

TO

- 1 THE JUDICIAL MAGISTRATE
PARAMAKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
EMANESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT.



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4 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM

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

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-227[I] dated 08/01/2025)

ORDER
IN
CRL OP(MD) No.242 of 2025
Date :08/01/2025

SS/SAR- /08/01/2025/ 5P/7C

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