



CRL OP(MD). No.651 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Ajith,
S/o. Mariyappan,
D/no.237/7, Kamarasar
Nagar, Arangoor,
Thottiyam Taluk,
Trichy District.

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. By The Inspector of Police,
Lalapet Police Station,
Karur District.
(Crime No. 531/2024).

... Respondent/Complainant

For Petitioner : Mr.K.Palmurugan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.531 of 2024 on the file of the respondent
police.

<https://www.mhc.tn.gov.in/judis>



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ORDER: The Court made the following order :-

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The petitioner /sole accused, who was arrested and remanded to judicial custody on 20.12.2024 for the alleged offence under Sections 318(4) and 319 (2) of BNS in Crime No.531 of 2024, seeks bail.

2. The case of the prosecution is that the petitioner has involved in the avocation of informing about the fortune of others with the help of his parrot. He is said to have come to the place of the defacto complainant on 13.09.2024 and in the guise of telling the fortune, took away 3 ½ sovereigns of gold chain from the defacto complainant in the guise of conducting pooja.

3. The learned counsel appearing for the petitioner would submit that the petitioner has suffered incarceration from 20.12.2024.

4.The learned Additional Public Prosecutor appearing for the respondent police submits that the petitioner has one previous case of similar nature and that the gold chain was not recovered from the petitioner and hence, the learned Additional Public Prosecutor vehemently opposed grant of bail to the petitioner.

5.Heard the learned counsel appearing on either side and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 20.12.2024 and



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the respondent police did not take steps to take the petitioner in police custody and the incident itself has taken place during September, 2024, for which FIR came to be registered only in December, 2024 and taking note of the one previous case against the petitioner, this court is inclined to grant bail to the petitioner, subject to the following conditions:

7. 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 Court No.1, Kulithalai 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 every Monday and Friday at 10.30 A.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.

[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



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law as if the conditions have been imposed and the petitioner released on bail by the
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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/-
21/01/2025

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21/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE NO.I,
KULITHALAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, KARUR DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, KULITHALAI, KARUR DISTRICT.

4 THE INSPECTOR OF POLICE,
LALAPET POLICE STATION,
KARUR DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.651 of 2025
Date :21/01/2025

SA/SAR. /21.01.2025/5P/6C

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