



CRL OP(MD). No.961 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/01/2025

PRESENT

The HONOURABLE MS. JUSTICE R.POORNIMA

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Mark @ Markandeyar

... Petitioner/ Accused 2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No. 476 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.R.Sankarakutralingam, Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 476 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/A2, who was arrested and remanded to judicial custody on 07.12.2024 for the offences under Sections 127(2), 310(2), 311 and 351(3) of BNS Act, 2023 in Crime No.476 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with some other persons had attacked the defacto-complainant with sword and committed robbery of Vivo phone and threatened him with dire consequences. There are totally seven accused persons involved in this case and the petitioner has been arrayed as A2.

3. The learned Counsel appearing for the petitioner submitted that the petitioner is innocent and he is not involved in any offence and he was wrongly implicated in this case.

4. The learned Additional Public Prosecutor appearing for the State submitted that this petitioner is having nine previous cases and he committed robbery in night times and he took phone and threatened the defacto-complainant with dire consequences and he is in custody for 40 days i.e., from 07.12.2024.

5. The learned counsel for the petitioner further stated that in this case already one of the co-accused (A4) has been released on bail by this Court in CrI.OP(MD) No.22944 of 2024 on 27.12.2024.

6. Taking into consideration the facts and circumstances of the case and



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considering the fact that one of the co-accused has already been released on bail and also of the fact that this petitioner has already suffered incarceration from 07.12.2024, 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, Manamadurai, 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 Inspector of police, Dindigul Taluk Police Station, Dindigul, daily at 10.00 a.m until further orders.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[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



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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/-
17/01/2025

/ TRUE COPY /

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

LR/APD
TO

1 THE JUDICIAL MAGISTRATE,
MANAMADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.

4 THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

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



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COPY TO:

THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL.

+1 CC to M/s.SANKARA KUTRALINGAM, Advocate (SR-502[I] dated
17/01/2025)

ORDER
IN
CRL OP(MD) No.961 of 2025
Date :17/01/2025

SA/SAR. /17.01.2025/5P/8C

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