



CRL OP(MD). No.1305 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1. Antony Sanitago Niroshan @ Niroshan

2. Kenittan ... Petitioners / Accused No.11 & 12

Vs

The State of Tamil Nadu
represented by The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.581 of 2024)

... Respondent / Complainant

For Petitioners : Mr.R.Ponkarthikeyan
Advocate.

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

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

PRAYER :-

For Bail in Crime No.581 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 petitioners / Accused, who were arrested and remanded to judicial custody on 25.12.2024 for the alleged offences under Sections 191(2), 191(3), 296(b), 115(2), 118 (1) and Section 351(3) read with Section 49 of BNS and Section 3 of TNPPDL, in Crime No.581 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 25.12.2024, the father of the defacto complainant went for walking along with his pet dog. There was some wordy quarrel regarding the dog with A1 to A4. The accused persons are said to have threatened with dire consequences and attacked with hand. When the defacto complainant questioned the same, he was also attacked with iron rod and he also sustained injuries. Thereafter, all the accused persons are said to have damaged the boat and fishing net of the defacto complainant and thereby caused a total loss of Rs.7,10,000/-. There are totally 12 accused persons in this case and the petitioners are arrayed as A11 and A12.

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



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4. Taking into consideration the facts and circumstances of the case and considering the fact that there is a case and counter case pending investigation before the respondent police in Crime No.578 and 581 of 2024 and taking note of the fact that the petitioners suffered incarceration from 27.12.2024 and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail on their 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, Radhapuram 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 petitioners shall report before the respondent police as and when required for interrogation.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
24/01/2025

/ TRUE COPY /

24/01/2025
Sub-Assistant Registrar (AE)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sma

TO

1. THE JUDICIAL MAGISTRATE , RADHAPURAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3.THE OFFICER IN CHARGE,
SUBJAIL, SRIVAIKUNDAM.

4. THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.



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

+1 CC to M/s.R.PONKARTHIKEYAN, Advocate (SR-823[I] dated 24/01/2025)

ORDER
IN
CRL OP(MD) No.1305 of 2025
Date :24/01/2025

RK (24/01/2025) 5P / 7C

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