



CRL OP(MD). No.2002 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 31/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Sivasubbu @ Siva

... Petitioner/ Accused No.2

Vs

The Inspector of Police,  
Kalakkad Police Station,  
Tirunelveli District.  
Crime No.538 of 2023.

... Respondent/Complainant

For Petitioner : Mr.N.Vignesh, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in S.C.No.332 of 2024 on the file of the 3rd Additional Session Judge, Tirunelveli in Crime no.538 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 05.01.2024 for the offences under Sections 147, 148, 294(b), 302, 506(2), 120B, 450 and 34 of IPC in S.C.No.332 of 2024 on the file of the III Additional Session Judge,



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Tirunelveli in Crime No.538 of 2023 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that there was a previous enmity between the deceased and the accused persons. The deceased was involved in a murder case and as a retaliation, the accused persons waylaid the deceased and brutally attacked him and he was done to death. There are totally six accused persons in this case and the petitioner has been arrayed as A2.

3.The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner is a notorious rowdy, who has murder cases against him and in one case there is a double murder committed by the petitioner. He further submitted that the investigation has been completed and the case is now pending before the III Additional Sessions Judge, Tirunelveli in S.C.No.332 of 2024. He vehemently opposed the grant of bail to the petitioner considering the petitioner's antecedents.

4. Heard the learned Counsel appearing on either side.

5.Taking into consideration the facts and circumstances of the case and considering the fact that this petitioner has already suffered incarceration from 05.01.2024 and the investigation has been completed and the case is now at the stage of framing of charges and taking note of the previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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6. 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 III Additional Sessions Judge, Tirunelveli, 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 III Additional Sessions Judge, Tirunelveli daily at 10.30 a.m apart from the hearing date, until further orders, except on the days when the petitioner has to appear in the other pending cases.

[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 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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.

sd/-  
31/01/2025

/ TRUE COPY /

31/01/2025

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

LR

TO

- 1 THE 3RD ADDITIONAL SESSIONS JUDGE, TIRUNELVELI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 3 THE INSPECTOR OF POLICE, KALAKKAD POLICE STATION,  
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.N.VIGNESH, Advocate ( SR-1299[I] dated 31/01/2025 )

ORDER IN  
CRL OP(MD) No.2002 of 2025  
Date :31/01/2025

RS/IT/SAR-(31.01.2025) 4P 6C  
Madurai Bench of Madras High Court is issuing  
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