



CRL OP(MD). No.305 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. Suresh Ahariya

2. Nithesh Kumar

... Petitioners/ Accused No.1 & 2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Railway Police Station,
Manamadurai,
Ramanathapuram District.
Crime No.19 of 2024.

... Respondent/Complainant

For Petitioner : Mr. Senthilnathan. B, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.19 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/A1 and A2, who were arrested and remanded to judicial custody on 30.09.2024 for the offences under Section 151 of Railway Act in Crime No.19 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were involved in theft of clips which are used for fitting the train tracks to avoid buckling of the track.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that both the accused persons belong to Chhattisgarh and that the investigation has been completed and the police report has been filed before the learned Judicial Magistrate, Paramakudi and the case is pending in C.C.No.411 of 2024 and it is posted for framing of charges on 10.01.2024.

4. The learned Counsel appearing for the petitioners submitted that a false case has been foisted against the petitioners and that the petitioners have suffered incarceration from 30.09.2024.



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5. Taking into consideration the facts and circumstances of the case and considering the age of the petitioners and also taking note of the fact they have suffered incarceration from 30.09.2024 and the investigation has already been completed and the case is pending before the trial Court, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and 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)** each, with two sureties, out of which, one surety shall be a local surety, each for a like sum to the satisfaction of the learned **Judicial Magistrate, 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 petitioners shall report before the Judicial Magistrate, Paramakudi, daily at 10.30 a.m until further orders, apart from the dates of hearing.

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

[d] the petitioners shall not tamper with evidence or witness either during



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investigation or trial.

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[e] the petitioners 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 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]**.

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

sd/-
08/01/2025

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08/01/2025

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

LR

TO

1 THE JUDICIAL MAGISTRATE
PARAMAKUDI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



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- 3 THE OFFICER INCHARGE,
RAMNAD DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE,
RAILWAY POLICE STATION,
MANAMADURAI,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

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Date :08/01/2025

SS/SAR- /08/01/2025/ 5P/6C

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