



CRL OP(MD). No.22281 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Anbuselvan

... Petitioner/ Accused No.5

Vs

The State of Tamil Nadu,
The Sub Inspector of Police,
Palanichettypatty Police Station,
In Cr No.454/2024.

... Respondent/Complainant

For Petitioner : M/s. M.A.M.Raja, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.454/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on



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04.12.2024 for the offences under Sections 194 of BNSS (hereinafter referred to as new Procedure code) and subsequently altered to Section 103(1) of BNS (hereinafter referred to as new penal code) in Crime No.454 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased was a person of lower intellectual ability and he was eking his livelihood by selling used bottles. On the fateful day, the accused persons were taking bath in a river and when the deceased went to that place, he was questioned and he is said to have been attacked and done to death. There are totally nine accused persons in this case and the petitioner has been arrayed as A4.

3. The learned Counsel appearing for the petitioner submitted that the petitioner is a college going student and he has been falsely roped in this case. He further submitted that the petitioner has suffered incarceration from 04.12.2024.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the entire case hinges upon the CCTV footages and on analyzing the same, the involvement of the accused persons came to light. He



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further submitted that the investigation is pending and that there are no previous cases against the petitioner.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the accused persons are said to be roped in based on the CCTV footage and also considering the age of the petitioner and taking note of the fact that there are no previous cases pending against the petitioner and also of the fact that this petitioner has already suffered incarceration from 04.12.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

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 **Judicial Magistrate, Theni**, 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 Saturday and Sunday at 10.30 a.m until further orders.**



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without fail.

[c] the petitioner shall appear before the trial Court during every hearing date

[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 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/-
06/01/2025

/ TRUE COPY /

06/01/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE JUDICIAL MAGISTRATE
THENI.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, THENI.

4 THE SUB INSPECTOR OF POLICE,
PALANICHETTYPATTY POLICE STATION

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

+1 CC to M/s.M.A.M.RAJA, Advocate (SR-102[I] dated 06/01/2025)

ORDER

IN

CRL OP(MD) No.22281 of 2024

Date :06/01/2025

SS/SAR- /06/01/2025/ 5P/7C

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