



CRL OP(MD). No.22861 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22861 of 2024

Chinnadurai

... Petitioner/ Accused /Sole Accused

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Kulasekarapattinam Police Station,
Kulasekarapattinam,
Thoothukudi District.
(Crime No.85 of 2023)

... Respondent /Respondent /Complainant

For Petitioner : Mr.S.Palanivelayutham,
Advocate.

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

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.85 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial



CRL OP(MD). No.22861 of 2024

custody on 20.05.2023 for the alleged offences under Sections 294(b), 324 and 302 of IPC, in Crime No.85 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was some previous enmity and on the date of occurrence, the petitioner is said to have been involved in a wordy quarrel with the deceased who is none other than the husband of the maternal aunt and strangled him with towel and stamped with his leg on his neck. As a result, the deceased died.

3. The learned counsel for the petitioner submitted that the petitioner was detained under Act 14 of 1982 and the petitioner had also undergone one year of detention. He further submitted that the petitioner was remanded to judicial custody on 20.05.2023 and that he has suffered incarceration for more more than one and a half years.

4. The learned Additional Public Prosecutor (Criminal Side) submitted that the petitioner has 4 previous cases against him, out of which, one case is under NDPS Act for small quantity, in which, he was also convicted. He further submitted that the case is now pending before the learned I Additional Sessions Judge, Thoothukudi in S.C.No.470 of 2023 and the case is posted on 20.01.2025.

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



CRL OP(MD). No.22861 of 2024

WEB COPY

6. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 20.05.2023 and already the investigation has been completed and the case is pending before the Trial Court and also taking note of the fact that there are 4 previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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, Thiruchendur, Thoothukudi District, 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 Trial Court during every date of hearing without fail.

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

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



CRL OP(MD). No.22861 of 2024

WEB COPY

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].

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

sd/-
02/01/2025

/ TRUE COPY /

02 / 01 / 2025

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

PAL

TO

1 THE JUDICIAL MAGISTRATE
THIRUCHENDUR, THOOTHUKUDI DISTRICT.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
KULASEKARAPATTINAM POLICE STATION,
KULASEKARAPATTINAM,
THOOTHUKUDI DISTRICT.



CRL OP(MD). No.22861 of 2024

4. THE OFFICER INCHARGE
DISTRICT JAIL, PERURANI.

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

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate (SR-19[I] dated 02/01/2025)

ORDER
IN
CRL OP(MD) No.22861 of 2024
Date :02/01/2025

PSP/ /SAR /02.01.2025/ 5P/ 7C

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