



Trial Court for several hearings and hence, non-bailable warrant was issued on 30.05.2019, pursuant to which, he was arrested on 28.08.2019.

3. The learned Government Advocate (Criminal side) would submit that the trial in S.C.No.1 of 2016 has already commenced and the matter is now posted for questioning under Section 313 of the Code of Criminal Procedure.

4. At this juncture, the learned counsel appearing for the petitioner would submit that non-appearance of the petitioner before the Trial Court is neither wilful nor wanton, but, due to his illness, he was unable to appear before the Trial Court. He would further submit that the petitioner is in jail for nearly 11 months and now, the petitioner undertakes that he will appear before the Trial Court on all hearing dates without fail and he has also filed an affidavit of undertaking to that effect.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in jail from 28.08.2019, i.e., nearly 11 months and also taking into consideration the affidavit of undertaking filed by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Pudukkottai, Pudukkottai District.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii) the petitioner shall report before the respondent police once in a week i.e., on every Monday at 10.30 a.m until further orders and he shall also appear before the Trial Court on all hearing dates without fail.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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



vi) If the petitioner/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
10/07/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE SESSIONS JUDGE,
MAHILA COURT, PUDUKKOTTAI,
PUDUKKOTTAI DISTRICT.
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KEERANUR, PUDUKKOTTAI DISTRICT.
3. THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7002 of 2020
Date :10/07/2020

MS/VR/SAR-2/13.07.2020/3P.5C