



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.3019 of 2021

Venkatesan

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Thirugokaranam Police Station,
Pudukkottai District.
Crime No.24 of 2016.

... Respondent/Complainant

For Petitioner : Mr.G.Mathavan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

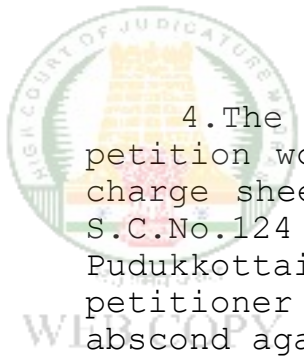
PRAYER :- For Bail in Crime No.24 of 2016 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1, who was arrested and remanded to judicial custody on 14.02.2021 for the offences punishable under Sections 294 (b) and 506(ii) of IPC r/w Section 3(1) of TNPDL Act, in Crime No.24 of 2016, on the file of the respondent police seeks bail.

2.Earlier the petitioner was arrested and released on bail. Thereafter the petitioner did not appear before the trial Court, hence Non Bailable Warrant was issued on 14.02.2021 and on the same day the petitioner was arrested on execution of Non Bailable Warrant.

3.The learned counsel for the petitioner would submit that the petitioner is regularly appearing before the trial Court on all hearing dates. On 25.02.2021, he was unable to appear before the trial Court, due to which Non Bailable Warrant came to be issued and the petitioner was remanded to custody pursuant to the execution of Non Bailable Warrant on 14.02.2021.



4.The learned Government Advocate(Crl.Side) opposing the bail petition would submit that the investigation has been completed and charge sheet has been filed and the same has been taken on file in S.C.No.124 of 2017 by the Principal District and Sessions Judge, Pudukkottai. He would also submit that after much difficulty the petitioner was secured and if he is released on bail, he will abscond again, hence he opposed to grant bail to the petitioner.

5.Taking into consideration all the above facts and circumstance and also taking into consideration the period of incarceration, this Court inclined to grant bail to the petitioner by imposing conditions.

6.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 blood sureties each for a like sum to the satisfaction of the Principal District and Session Judge, 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 Principal District and Sessions Judge, Pudukkottai on every Monday at 10.30 a.m., until further orders and 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 Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
25/02/2021

/ TRUE COPY /

/ /2021
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.

WEB COPY

- TO
1. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
PUDUKKOTTAI, PUDUKKOTTAI DISTRICT.
 2. THE INSPECTOR OF POLICE,
THIRUGOKARANAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
 3. THE OFFICER INCHARGE, SUB JAIL,
THIRUMAYAM, PUDUKKOTTAI.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.G.MATHAVAN, Advocate (SR-1434[I] dated 25/02/2021)

ORDER
IN
CRL OP(MD) No.3019 of 2021
Date :25/02/2021

VSG
MS/PN/SAR-1/25.02.2021/3P.6C