



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.3049 of 2021

Ramaraj @ Suresh

... Petitioner/Accused No.19

Vs

State Rep.by  
The Inspector of Police,  
Muthukulathur Police Station,  
Ramnad District.  
Crime No.231/2007.

... Respondent/Complainant

For Petitioner : Mr.A.Uthayakumar,  
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.231 of 2007 on the file of the  
respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused herein was arrested and remanded to  
judicial custody on 21.12.2020 for the alleged offence under  
Sections 147, 148 and 302 of IPC.

2. Since, the petitioner did not appear before the trial Court,  
Non Bailable Warrant was issued on 20.09.2019. The petitioner was  
arrested on execution of Non Bailable Warrant on 21.12.2020.

3.The learned counsel for the petitioner would submit that the  
petitioner is regularly appearing before the trial Court on all  
hearing dates and he was unable to appear before the trial Court on  
the said hearing date only. 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 21.12.2020.

4.The learned Government Advocate (Crl.Side) appearing for the  
State would submit that the petitioner is not having a permanent  
residence and the petitioner was secured with much difficulty and if  
<https://hcservices.apnrtls.gov.in/hcservices/>



he is released on bail, there will not be any progress in the trial. Hence he opposed to grant bail to the petitioner.

5. Taking into consideration all the allegations made against the petitioner and also the fact that the petitioner was arrested on execution of Non bailable Warrant 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Muthukulathur, Ramnad 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 learned Judicial Magistrate, Muthukulathur, Ramnad District on every Monday at 10.30 a.m., until further orders and on all hearing dates with out 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 petitioner/ 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, remains the responsibility of the advocate/litigant concerned.



TO

1. THE JUDICIAL MAGISTRATE,  
MUTHUKULATHUR, RAMNAD DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.
3. THE OFFICER INCHARGE,  
DISTRICT PRISON, RAMNAD.
4. THE INSPECTOR OF POLICE,  
MUTHUKULATHUR POLICE STATION,  
RAMNAD DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.3049 of 2021  
Date :25/02/2021

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