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

Date : 05/05/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD) . No.6572 of 2021

1. Gopi @ Gopi Krishnan
2. Gowtham
3. Aravind @ Balaji ... Petitioners/Accused A1, A3 & A4

Vs

State Rep. by
The Inspector of Police,
Karimedu Police Station,
Madurai City
(In Cr.No. 1272/2020). ... Respondent/Complainant

For Petitioners : Mr.William Christopher.J,
Advocate.
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

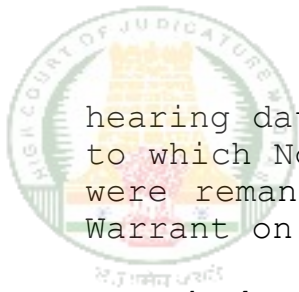
For Bail in Crime No.1272 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/accused herein were arrested and remanded to judicial custody on 24.08.2020 for the alleged offence under Sections 302 of IPC @ 147,148,342,506(ii), 120(b), 34 of IPC r/w.Section 83(2) of Juvenile Justice (Care and Protection Act) seek bail.

2. Earlier the petitioners were arrested and released on bail. Thereafter the petitioners did not appear before the trial Court , hence Non Bailable Warrant was issued. The petitioners were arrested on execution of Non Bailable Warrant on 24.08.2020.

3.The learned counsel for the petitioners would submit that the petitioners are regularly appearing before the trial Court on all



hearing dates they were unable to appear before the trial Court, due to which Non Bailable Warrant came to be issued and the petitioners were remanded to custody pursuant to the execution of Non Bailable Warrant on 24.08.2020.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the petitioners were secured with much difficulty and if they are released on bail there will not be any progress in the trial. He would also submit that the investigation has been completed and the final report has been taken cognizance in S.C.No. 421 of 2020 hence he opposed to grant bail to the petitioners.

5.Taking into consideration all the allegations made against the petitioners and also the fact that the petitioners were arrested on execution of Non bailable Warrant and also taking into consideration the period of incarceration, this Court inclined to grant bail to the petitioners by imposing conditions.

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned IV Additional District and Sessions Judge, Madurai

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 IV Additional District and Sessions Judge, Madurai on every Monday at 10.30 a.m., until further orders.

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

iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners/ accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

05/05/2021

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/ /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

1 THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI.

2 THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION,
MADURAI CITY.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.J.WILLIAM CHRISTOPHER, Advocate (SR-3632[I] dated
05/05/2021)

ORDER
IN
CRL OP(MD) No.6572 of 2021
Date :05/05/2021

AAV/TTA
JM/VR/SAR I/05.05.2021/3P/6C