



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

Date : 07/03/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.4364 of 2022

Pandi

... Petitioner/Accused No.4

Vs

The State Rep. By,
The Inspector of Police,
Panayapatti Police Station,
Pudukkottai District.
(Crime No.43 of 2014).

... Respondent/Complainant

For Petitioner : M/s.P.Krishnaveni,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

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

PRAYER :-

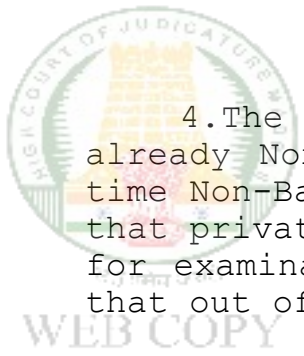
For Bail in connection with the case in S.C.No.68 of 2015 before the learned Sessions Judge, Mahila Court, Pudukkottai District in Crime No.43 of 2014 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.4 is facing a case for the offences punishable under Sections 120(B), 506(2), 449 and 302 (2 counts) IPC, on the file of the learned Sessions Judge, Mahila Court, Pudukkottai District, in Crime No.43 of 2014, on the file of the respondent police, seeks bail.

2.It is not in dispute that since the petitioner has not turned up for the hearing on 09.08.2021, Non-Bailable Warrant was ordered to be issued and the same was executed on 15.09.2021 and he is still in judicial custody.

3.The learned counsel for the petitioner would submit that the petitioner is in judicial custody from 15.09.2021.



4.The learned Additional Public Prosecutor would submit that already Non-Bailable Warrant was recalled twice and for the third time Non-Bailable Warrant was ordered to be issued on 09.08.2021 and that private witnesses have been examined and the case stands posted for examination of the official witnesses. He would further submit that out of 27 witnesses, 12 witnesses were already examined.

5.Considering the above facts and circumstances and also the fact that the petitioner is in judicial custody from 15.09.2021, 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Pudukottai 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 trial Court daily at 10.30 a.m., on all working days until further orders;

(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 / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
07/03/2022

/ TRUE COPY /

/ /2022

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, PUDUKOTTAI DISTRICT.

2. THE INSPECTOR OF POLICE,
PANAYAPATTI POLICE STATION,
PUDUKKOTTAI DISTRICT.

3. THE OFFICER-INCHARGE,
DISTRICT JAIL,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.P.KRISHNAVENI, Advocate (SR-1738[I] dated 07/03/2022)

ORDER

IN

CRL OP(MD) No.4364 of 2022

Date :07/03/2022

USK/VR/SAR-III/07.03.2022/3P/6C