



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/06/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.10591 of 2022

Karthikeyan

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
Crime No.285 of 2021.

... Respondent/Complainant

For Petitioner : M/s.SURESH.M,
Advocate.

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

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

PRAYER :-

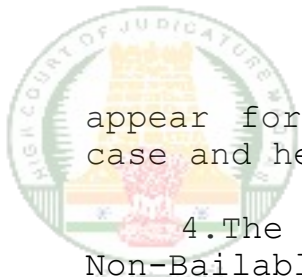
To enlarge the petitioner on bail in S.C.No.207 of 2021 on the file of the learned Additional District and Sessions Judge, Dindigul.

ORDER : The Court made the following order :-

The petitioner/A2, who is facing a case for the offence punishable under Sections 147, 148, 341, 294(b), 120(B), 506(ii), 302 r/w 109 and 149 of IPC in S.C.No.207 of 2021 on the file of the learned Additional District and Sessions Judge, Dindigul in crime No.285 of 2021, on the file of the respondent police, seeks bail.

2.It is seen from the records that since the petitioner has not turned up for the hearing on 28.04.2022, Non-Bailable Warrant (NBW) was ordered to be issued and that warrant was executed on 10.05.2022 and he is still in judicial custody.

3.The learned counsel for the petitioner would submit that the petitioner was in judicial custody in connection with the case in Crime No.111 of 2022 on the file of the Vadamadurai Police Station and he was released on bail on 27.04.2022 and that he has failed to



appear for the hearing on 28.04.2022 with respect to the present case and hence, Non-Bailable Warrant was issued against him.

4.The learned Additional Public Prosecutor would submit that Non-Bailable Warrant was issued against the petitioner for the first time.

5.Considering the above facts and circumstances of the case and also the facts that the petitioner is in judicial custody from 10.05.2022 and that Non-Bailable Warrant was issued against the petitioner for the first time as stated by the learned Additional Public Prosecutor, 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 Additional District and Sessions Judge, Dindigul.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Sessions Judge/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 on all working days at 10.30 a.m., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

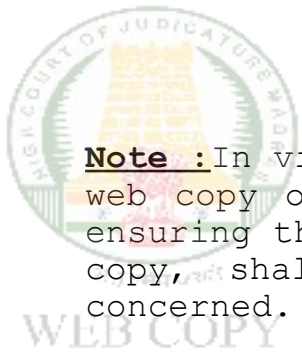
(v)On breach of any of the aforesaid conditions, the learned Sessions Judge/concerned Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Sessions Judge/Trial Court himself 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/-
15/06/2022

/ TRUE COPY /

15/06/2022
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 ADDITIONAL DISTRICT AND SESSIONS JUDGE,
DINDIGUL.
- 2 THE OFFICER INCHARGE
DISTRICT PRISON, DINDIGUL.
- 3 THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SURESH.M Advocate SR.No.5547

ORDER

IN

CRL OP(MD) No.10591 of 2022

Date :15/06/2022

SA/PN/SAR.1/15.06.2022/3P/6C