



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 04/07/2022

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**  
CRL OP(MD). No.10765 of 2022

WEB COPY

Aayiram

... Petitioner/Accused No.1

**Vs**

State Rep.by  
The Inspector of Police,  
Tirunelvelil Taluk Police Station,  
Tirunelveli District.  
Crime No.101 of 2019.

... Respondent/Complainant

For Petitioner : M/s.A.Haja Mohideen, Advocate.  
For Respondent : Mr.R.M.Anbunithi,  
Government Advocate (Crl.Side)

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

**PRAYER :-**

For Bail in Crime No.101 of 2019 on the file of the Respondent Police.

**ORDER :** The Court made the following order :-

The petitioner/Accused No.1, who was arrested on 15.06.2022 for the alleged offence under Sections 114, 302, 506(ii) of IPC r/w 34 of IPC, in Crime No.101 of 2019, on the file of the respondent police, seeks bail.

2.Even though the petitioner was granted bail by the regular Court in Crime No.101 of 2019, when the trial was taken up, he remained absent on 01.06.2022. Even though 6 witnesses were presented before the Trial Court, there was no representation for the petitioner and the other two accused till 01.20 p.m and witnesses could not be examined and hence, warrant has been issued. So, on that ground, the bail application filed by the petitioner came to be dismissed. Since because of the non-appearance of the petitioner on the date of commencement of the trial, warrant has been issued and the same has been executed on 02.06.2022 and he was arrested. Ever since he is in custody.

3.I find no reason to interfere with the order passed by the the learned Sessions Judge, (Mahila Court), Tirunelveli, in Crl.M.P.No.4788 of 2022 dated 09.06.2022.



4.The respondent police may produce the witnesses before the Trial Court and after cross examination of material witnesses are over, the petitioner can very well approach the Trial Court for bail.

5.With the above said liberty, this Criminal Original Petition is dismissed.

sd/-

04/07/2022

/ TRUE COPY /

/07/2022

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), TIRUNELVELI.

2 THE SUPERINTENDENT, CENTRAL JAIL, TIRUNELVELI.

3 THE INSPECTOR OF POLICE, TIRUNELVELIL TALUK POLICE STATION,  
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.A.HAJA MOHIDEEN, Advocate (SR-6600[I] dated 05/07/2022)

ORDER

IN

CRL OP(MD) No.10765 of 2022

Date :04/07/2022

RS/PN/SAR.4 (08.07.2022) 2P-6C