



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15.09.2022
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.14020 of 2022

Saravanan

... Petitioner / Accused No.5

Vs

State represented through

The Inspector of Police,

Adirampattinam Police Station, Thanjavur District.

Crime No.67 of 2004

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran, Advocate.

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

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

PRAYER :-For Bail in Crime No.67 of 2004 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.5, who was arrested and remanded to judicial custody on 22.06.2022 for the offences punishable under Sections 147, 148, 435 of IPC read with 3(1) of TNPPDL Act in Crime No.67 of 2004, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the learned Judicial Magistrate, Pattukottai, issued a Non-Bailable warrant on 09.01.2019 in PRC No.26 of 2015 on the file of the learned Judicial Magistrate, Pattukottai and the petitioner was arrested on 22.06.2022 by the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner was in custody for the past 84 days and prays the petitioner to be released on bail.

4.The learned Additional Public Prosecutor stated that the petitioner/A5 was arrested on 22.06.2022. Some of the accused in PRC No.26 of 2015 has been acquitted. The case is posted for next hearing on 19.09.2022.

5.Considering the period of incarceration of the petitioner, this Court is inclined to release the petitioner on bail on the following conditions:



6. Accordingly, the petitioner is ordered to be released on bail, on executing a bond on 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, Pattukottai, and on further conditions that:

(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 respondent police daily at 10.30 a.m., until further orders;

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

(iv) the petitioner shall be present before the Court on hearing dates and before the respondent police as and when required;

(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/-

15/09/2022

/ TRUE COPY /

15/09/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, PATTUKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
ADIRAMPATTINAM POLICE STATION, THANJAVUR DISTRICT
- 4 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. KARUNAKARAN. K.M Advocate SR.No.10064.

ORDER IN

CRL OP(MD) No.14020 of 2022

Date :15/09/2022