



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Reserved on : 12.09.2022
Pronounced on : 14.09.2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.15514 of 2022

WEB COPY

Rajaraman @ Soorakottai Raja

... Petitioner/Accused No.12

Vs

State Rep.by
The Inspector of Police,
TMCH Police Station,
Thanjavur District.
(Crime No.448/2018).

... Respondent/Complainant

For Petitioner : M/s.G.Karuppasamy Pandiyan,
Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

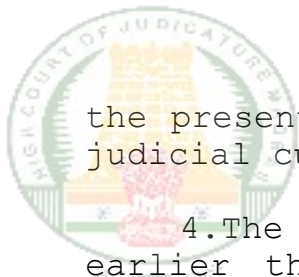
To enlarge the petitioner on Bail in connection in S.C.No.92 of 2019 on the file of the Learned Judicial Magistrate No.II, Thanjavur in Cr.No.448 of 2018 on the file of the respondent herein.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 18.03.2022 for the offences punishable under Sections 147, 148, 326, 307, 506(2) of IPC r/w.120(b) and 109 of IPC in Crime No.448 of 2018(in S.C.No.92 of 2019 on the file of the learned Judicial Magistrate No.II, Thanjavur) on the file of the respondent police, seeks bail.

2.Earlier the petitioner was granted bail and subsequently the petitioner failed to appear before the trial court hence Non Bailable Warrant was issued. Thereafter the petitioner was arrested and remanded to judicial custody on 18.03.2022, hence seeking bail the present application is filed.

3.The learned counsel for the petitioner would submit that when the petitioner was in custody relating to Crime No.206 of 2022 he was produced before the learned Magistrate No.II, Thanjavur by way of P.T.warrant and thereafter the learned Magistrate had remanded the petitioner till 04.04.2022. He would further submit that because of arrest in some other case he was unable to attend the hearing of



the present case. He would further submit that the petitioner in judicial custody from 18.03.2022, hence he seeks bail

4.The learned Additional Public Prosecutor would submit that earlier the petitioner was granted bail in this case. He would further submit that 19 previous cases are pending against the petitioner and if he is released on bail, he will abscond again, hence opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also period of incarceration and also the fact the petitioner was earlier grant bail, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, 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 Principal Assistant Sessions Judge, Thanjavur

(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/-

14/09/2022

/ TRUE COPY /

14/09/2022

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



TO

1 THE PRINCIPAL ASSISTANT SESSIONS JUDGE, THANJAVUR.

2 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

4 THE INSPECTOR OF POLICE, TMCH POLICE STATION, THANJAVUR DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.15514 of 2022

Date :14/09/2022

AAV

RS/SBN/SAR.2 (14.09.2022) 3P-7C