



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP (MD) . No.18707 of 2022

Raja

... Petitioner/Accused No.16

Vs

The State Rep.by
The Inspector of Police,
Devarkulam Police Station,
Tirunelveli District. Cr.No.04/2015.

... Respondent/Complainant

For Petitioner : M/s.Rajesh P

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

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

PRAYER :-

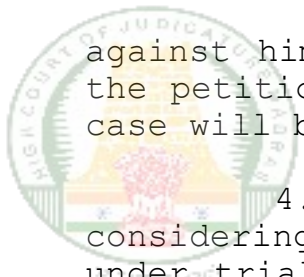
For Bail in Crime No. 04/2015 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.16 herein, who was arrested on 16.09.2022, in pursuant to NBW issued by the I Additional District and Sessions Judge, Tirunelveli in SC No.274 of 2018, connected in Crime No.4 of 2015, the alleged offence under Sections 147, 148, 120(B), 341, 302(2 counts), 506(ii) IPC, on the file of the respondent police, seeks bail.

2.Today, when the matter was taken up for hearing, on the side of the petitioner, it is stated that due to absence of the petitioner, NBW was issued against him. The petitioner is in custody from the date of arrest, ie., 16.09.2022. Hence, prayed to release him on bail.





against him on 08.04.2022. The case is pending for appeal of the petitioner. If he released on bail, he would again abscond and case will be pending. Hence, prays to dismiss the petition.

4. Considering the facts and circumstances of the offence, considering the fact that the case against the petitioner is pending under trial stage and he was remanded on execution of NBW and also considering his period of incarceration, this Court is inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on his 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 I Additional Sessions Judge, Tirunelveli.

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Judge/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b) the petitioner shall report before the trial Court on every hearings without fail;

c) the petitioner shall not tamper with evidence or witness;

d) the petitioner shall appear before the concerned Court on all hearing dates and appear before the respondent Police, as and when required;

e) On breach of any of the aforesaid conditions, the learned Judge/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 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

19/10/2022

/ TRUE COPY /

19/10/2022

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

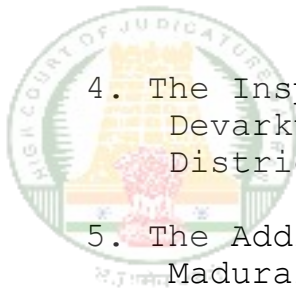
TO

1. The I Additional Sessions Judge, Tirunelveli

2. Do Through,

The Chief Judicial Magistrate, Tirunelveli.

3. The Superintendent, Central Prison, Palayamkottai



4. The Inspector of Police,
Devarkulam Police Station, Tirunelveli
District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

WEB COPY

+1. CC to M/S.RAJESH P Advocate SR.No.11659

ORDER

IN

CRL OP(MD) No.18707 of 2022

Date :19/10/2022

MGJ(19.10.2022) 3P 7C