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CrI.OP.No.18656 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.OP.No.18656 of 2023

Manivannan @ Chinnapaiyan

...Petitioner

Vs.

The Inspector of Police,
Perambur Police Station,
Nagapattinam District.
(Cr.No.337 of 2016)

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.337 of 2016 pending on the file of the Inspector of Police, Perambur Police Station, Nagapattinam District.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.06.2023 for the offences punishable under Section 294 (b), 341, 352, 342, 386, 307 of I.P.C, in Crime No.337 of 2016 on the file of the



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respondent police, seeks bail.

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2.It is the submission of the learned counsel for the petitioner that petitioner is an accused in P.R.C.No.14 of 2019 on the file of the learned District Munsif Cum Judicial Magistrate, Tharangambadi. Petitioner had never appeared before the Court. He came to know about the issuance of NBW only when he returned from abroad on 31.06.2023. He was arrested at the airport and then remanded to judicial custody. He would be very regular hereafter, in attending the Court. Thus, he seeks bail.

3.In response, the learned Additional Public Prosecutor opposed this petition on the ground that NBW was executed only on 31.06.2023.

4.Considered the rival submissions and perused the records.

5.It is seen that petitioner was arrested immediately on his arrival at airport on 31.06.2023. It is submitted by the learned counsel for the petitioner that petitioner was not aware of the pendency of this case, especially the issuance of NBW. In the said circumstances and that



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petitioner is in judicial custody from 31.06.2023 and also the undertaking given by the learned counsel for the petitioner that petitioner would be regular hereafter in attending the Court, this Court is inclined to grant bail to the petitioner with conditions.

6. Accordingly, 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 **learned District Munsif cum Judicial Magistrate, Tharangambadi**, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the concerned Court on all working days at 10.00.a.m., until further orders and on the date of hearings without fail.

[c] the petitioner shall not abscond either during investigation or trial.



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[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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To

- 1.The District Munsif cum Judicial Magistrate,
Tharangambadi.
- 2.The Inspector of Police,
Perambur Police Station,
Nagapattinam District.
- 3.Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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