



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 24/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5455 of 2023

1. Amal @ Amulraj
2. Jayaraj

... Petitioners/Accused No. 4 & 5

Vs

State through,
The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.
Crime No.179/1998.

... Respondent/Complainant

For Petitioners : M/s.Krishnaveni P,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

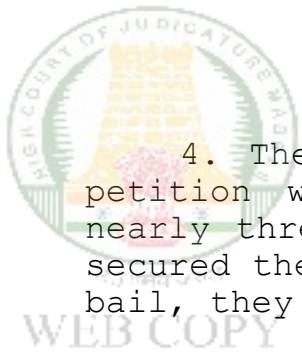
For Bail in Crime No.179/1998 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A4 and A5 herein were arrested and remanded to judicial custody on 10.03.2023 for the alleged offence under Section 366 of IPC in Crime No.179 of 1998 (S.C. No.118 of 2018 on the file of the Fast Track Mahila Court, Dindigul) on the file of the respondent police seek bail.

2. Earlier the petitioners were arrested and released on bail. Thereafter the petitioners did not appear before the trial Court , hence Non Bailable Warrant was issued on 10.08.2021. The petitioners were arrested on execution of Non Bailable Warrant on 10.03.2023.

3.The learned counsel for the petitioners would submit that the petitioners are regularly appearing before the trial Court on all hearing dates and due to their ill health they were unable to appear before the trial Court, due to which Non Bailable Warrant came to be issued and the petitioners were remanded to custody on the execution of Non Bailable Warrant on 10.03.2023.



4. The learned Additional Public Prosecutor opposing the bail petition would submit that the petitioners are absconding for nearly three years and with much difficulty the respondent police secured the petitioners. Further, if the petitioners is released on bail, they will abscond again.

5. Taking into consideration all the allegations made against the petitioners and also the fact that the petitioners were arrested on execution of Non bailable Warrant and also taking into consideration the period of incarceration, this Court inclined to grant bail to the petitioners by imposing conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Fast Track Mahila Court, Dindigul.

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 petitioners shall report before the Fast Track Mahila Court, Dindigul on all working days at 10.30 a.m and 5.30 p.m., until further orders

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioner/ accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
24/03/2023

/ TRUE COPY /

24/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

<https://www.mhc.tn.gov.in/judis>



TO

1. The Judge, Fast Track Mahila Court, Dindigul.
2. The Officer In-Charge, District Jail, Dindigul.
3. The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.KRISHNAVENI, Advocate (SR-4807[I] dated 24/03/2023)

ORDER
IN
CRL OP(MD) No.5455 of 2023
Date : 24/03/2023

NA/MMS/SAR/24.03.2023/3P/6C