



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

Date : 04/05/2023

PRESENT

The Hon`ble Mrs.Justice R.THARANI
CRL OP(MD). No.8495 of 2023

WEB COPY

Vinoth @ Vignesh

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Vallam Police Station,
Thanjavur District.
(Crime No.21 of 2013).

... Respondent/Complainant

For Petitioner : M/s. Arun Prasad.A,
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.21 of 2013 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused herein was arrested and remanded to judicial custody on 19.04.2023 for the alleged offence under Sections 147,148,294(b),323,379,506(ii) of IPC and section 3(1) of TNPPDL Act r/w.149 of IPC in Crime No.21 of 2013(S.C.No.64 of 2015 on the file of the II Additional District and Sessions Judge, Thanjavur) on the file of the respondent police seeks bail.

2. Earlier the petitioner was arrested and released on bail. Thereafter the petitioner did not appear before the trial Court , hence Non Bailable Warrant was issued on 31.07.2018. The petitioner was arrested on execution of Non Bailable Warrant on 19.04.2023.

3.On the side of the petitioner it is stated that the petitioner was regularly appearing before the trial Court and due to his poverty he went to Kerala for coolie work, hence Non Bailable Warrant came to be issued and the petitioner was remanded to custody pursuant to the execution of Non Bailable Warrant on 19.04.2023.

4. On the side of the respondent it is stated that the petitioner is absconding for nearly four years and with much difficulty the respondent police secured the petitioner. Further, if the petitioner is released on bail, he may abscond again.



5. Taking into consideration all the allegations made against the petitioner and also the fact that the petitioner was arrested on execution of Non bailable Warrant and also taking into consideration the period of incarceration, this Court inclined to grant bail to the petitioner by imposing 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 Judicial Magistrate No.II, Thanjavur

[b] 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.

[c] the petitioner shall report before the trial Court on all working days at 10.30 a.m., until further orders

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during trial.

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

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

sd/-

04/05/2023

/ TRUE COPY /

04/05/2023

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

AAV

TO

1. THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.

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



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

3. THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE, THANJAVUR

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

5 THE OFFICER IN CHARGE,
SUB JAIL, THANJAVUR.

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

ORDER

IN

CRL OP(MD) No.8495 of 2023

Date :04/05/2023

RK/CG/SAR-(04/05/2023) 3P/7C