



WEB COPY

CRL OP(MD).



23

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

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8614 of 2023

Munir Ahmed

... Petitioner/Accused No.4

Vs

The State represented by
The Inspector of Police,
Airport Police Station,
Trichy City
(Crime No.163 of 2016).

... Respondent/Complainant

For Petitioner : M/s. Jameel Arasu.B,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.163 of 2016 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner /Accused No.4 who was arrested and remanded to judicial custody on 02.03.2023 for the offences punishable under Sections 392 r/w 397 IPC in Crime No.163 of 2016 on the file of the respondent police, seeks bail.

2.Since the petitioner did not appear before the trial Court on 16.02.2023, Non Bailable Warrant was issued. Hence, the petitioner was arrested on execution of Non Bailable Warrant on 02.03.2023.

3.The learned counsel for the petitioner would submit that the petitioner is regularly appearing before the trial Court on all hearing dates and due to his ill health, he was unable to appear before the trial Court, due to which Non Bailable Warrant came to be issued and the petitioner was remanded to custody pursuant to the execution of Non Bailable Warrant on 02.03.2023.

<https://www.court.gov.in>



4. The learned Government Advocate (Crl.Side) opposing the bail petition would submit that the petitioner is absconding and with much difficulty the respondent police secured the petitioner. Further investigation is almost completed and the case is pending trial.

5. Taking into consideration the facts and circumstances of the case and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (of which one shall be a blood related surety) each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.VI, Tiruchirappalli on following conditions:

(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 learned Judicial Magistrate Court No.VI, Tiruchirappalli on all hearing dates at 10.30 am., without fail until the case is completed.

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner 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 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 thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

17/05/2023

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19/05/2023

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

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TO

1 THE JUDICIAL MAGISTRATE NO.VI
TIRUCHIRAPPALLI.



2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.

4 THE INSPECTOR OF POLICE
AIRPORT POLICE STATION, TRICHY CITY

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

ORDER
IN
CRL OP(MD) No.8614 of 2023
Date :17/05/2023

SS/MMS/SAR- /19.05.2023/ **3P/ 6C**