



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2023

PRESENT

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

CRL OP(MD) . No.8636 of 2023

(*)Esakkidurai @ Kaunnimuthu

... Petitioner/Accused No.1

**(*) (Amended as per order of this
Hon'ble Court dated 18.05.2023 in
CRL MP(MD).7458/2023 in CRL OP(MD).
8636/2023)**

Vs

State Rep.by
The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District
(Crime No.51 of 2010).

... Respondent/Complainant

For Petitioner : M/s.Jegadeesha Pandian.V.M,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

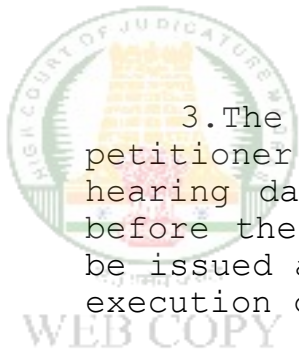
PRAYER :-

To release the petitioner/Accused No.1 on bail in connection with SC.No.319 of 2020, on the file of the Additional District and Sessions Court No.1, Thoothukudi.

ORDER : The Court made the following order :-

The petitioner/ A1, who was arrested and remanded judicial custody on 22.04.2022 for the offences punishable under Sections 366,376,302 r/w.379,201 of IPC in Crime No.51 of 2010, 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 12.11.2021. The petitioner was arrested on execution of Non Bailable Warrant on 22.04.2022



3. The learned counsel for the petitioner would submit 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 22.04.2022.

4. The learned Additional Public Prosecutor opposing the bail petition would submit that the petitioner is absconding and with much difficulty the respondent police secured the petitioner. Further in this case ten witnesses have been examined and if the petitioner is released on bail, he may abscond again. Further it is a case of murder.

5. Taking into consideration the nature and gravity of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Hence the petition stands dismissed.

sd/-

18/05/2023

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/05/2023

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

AAV

TO

1 THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE, THOOTHUKUDI

2 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8636 of 2023

Date : 18/05/2023

RS/CG/SAR-(22.05.2023) 2P 5C