



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/06/2023
PRESENT

WEB COPY

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

CRL OP(MD) . No.9382 of 2023

Karuppasamy,

... Petitioner/Accused No.4

Vs

The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.
Crime No.350 of 2016.

... Respondent/Complainant

For Petitioner : M/s.THALAIMUTHARASU G,
Advocate.

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

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

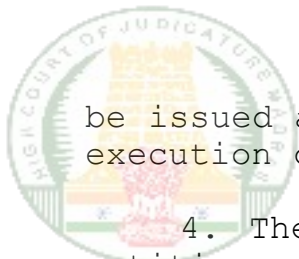
PRAYER :- To enlarge the Petitioner on bail in the event of their arrest in connection with in SC.No.264 of 2022 in Crime No.350 of 2016 on the file of the Respondent Police and to pass such further or other orders.

ORDER : The Court made the following order :-

The petitioner/A4 who apprehends arrest at the hands of the respondent police for the offences punishable under section 366 of IPC and Section 4 of TNPWH Act, in Crime No.350 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.Earlier the petitioner was arrested and released on bail. After completion of investigation and after taking cognizance in SC.No.264 of 2022 and the when the matter is posted for arguments the petitioner was absent and as such Non Bailable Warrant was issued as against the petitioner. The petitioner was arrested on execution of Non Bailable Warrant on 04.05.2023.

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 04.05.2023.

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, 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, 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 Sessions Judge, S Mahila Court, Tirunelveli, Tirunelveli District.

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 Sessions Judge, S Mahila Court, Tirunelveli, Tirunelveli District on all working days at 10.30 a.m and 5.30 p.m., until further orders

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 petitioner/ accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

05/06/2023

/ TRUE COPY /

05/06/2023

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



DSS

TO

1 THE SESSIONS JUDGE
S MAHILA COURT, TIRUNELVELI,
TIRUNELVELI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE,
KARIVALAMVANTHANALLUR POLICE STATION,
TENKASI DISTRICT.

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

+1. CC to M/S.THALAIMUTHARASU G Advocate SR.No.8035

ORDER

IN

CRL OP(MD) No.9382 of 2023

Date :05/06/2023

SA/VR/SAR. /05.06.2023/3P/6C