



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/06/2023
PRESENT

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

CRL OP(MD) . No.10155 of 2023

Reghu,

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.
Crime No. 304 of 2013.

... Respondent/Complainant

For Petitioner : M/s.BRIJESH KISHORE B,
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 Bail in S.C.No.10 of 2017 on the file of the learned Additional District and Sessions Judge, Padmanabhapuram, in Crime No.304 of 2013 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who is facing trial for the offences punishable under Sections 341, 294(b) and 307 IPC in S.C.No.10 of 2017 on the file of the learned Additional District and Sessions Judge, Padmanabhapuram, in Crime No.304 of 2013 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 against him on 10.01.2019. The petitioner was arrested on execution of Non-Bailable Warrant on 28.02.2023.

3.Heard. Perused the materials available on record including the First Information Report.

4.It is seen that the petitioner was originally granted bail and subsequently, he failed to appear before the trial Court on 10.01.2019. Therefore, Non-Bailable Warrant was issued against him



and on execution of Non-Bailable Warrant, the petitioner is arrested and remanded to judicial custody on 28.02.2023. The petitioner is the sole accused. However, the charges are not yet framed so far.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration, this court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related sureties each for a like sum to the satisfaction of the learned Additional District and Sessions Judge, Padmanabhapuram, and on further conditions that:

[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 daily at 10.30 A.M. and 05.30 P.M., until further orders.

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

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

[f] the petitioner shall not tamper with evidence or witness either during investigation or 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/-

12/06/2023

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



1 THE ADDITIONAL DISTRICT & SESSIONS JUDGE,
PADMANABHAPURAM.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, NAGERCOIL.

3 THE INSPECTOR OF POLICE,
KULASEKARAM POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.BRIJESH KISHORE B Advocate SR.No.8540

ORDER

IN

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Date :12/06/2023

SA/BUC/SAR. /12.06.2023/3P/6C