



CRL OP(MD). Nos.1372, 1373, 1374, 1376, 1377, 1378, 1386, 1387 of 2024

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

Date : 31/01/2024

PRESENT

The Hon`ble Mr.Justice ..DHANDAPANI

CRL OP(MD). Nos.1372, 1373, 1374, 1376,
1377, 1378, 1386, 1387 of 2024

* Muniyandi

... Petitioner/ Accused in all petitions

Vs

1.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
(Crime Nos.194, 221 of 2013,
16, 9, 96 of 2014.)

... Respondent / Complainant
in CRL OP(MD) No.1372 to 1374, 1376
and 1377 of 2024

2.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
* (Crime Nos.118, 117 of 2013
and 93 of 2014.)

... Respondents/Complainants
in CRL OP(MD) Nos.1378, 1386
and 1387 of 2024

In all petitions:

For Petitioner : Mr.M.S.Jeyakarthik, Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.

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



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PRAYER :- For Bail in Crime Nos.194, 221, 117, 118 of * 2013, 16, 9, 96 and 93 of *2014 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on execution of Non-Bailable Warrant issued by the learned District Munsif cum Judicial Magistrate, Kamuthi, for the offences punishable under Sections 379, 457, 380, 392, 454, 392 IPC in Crime Nos.194, 221, 117, 118 of * 2013, 16, 9, 96 and 93 of * 2014 on the file of the respondent Police, seeks bail.

S.No.	Crime Number	Offences	Date of Arrest
1	194 of 2013	379 IPC	01.12.2023
2	16 of 2014	457 & 380 IPC	01.12.2023
3	221 of 2013	379 IPC	01.12.2023
4	9 of 2014	457 & 380 IPC	01.12.2023
5	96 of 2014	380 IPC	01.12.2023
6	118 of 2013	392 IPC	06.12.2023
7	117 of 2013	454 & 380 IPC	06.12.2023
8	93 of 2014	392 IPC	06.12.2023

2. The case of the prosecution is that the petitioner had stolen the agricultural motors from the different fields. Hence, various complaints were lodged and the cases were registered by the respondent Polices and the petitioner was arrested and remanded to judicial custody. Thereafter, he enlarged on bail and subsequently the respondent Police, after completing the investigation, a Charge Sheet was filed



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before the learned District Munsif cum Judicial Magistrate, Kamuthi. Due to non-appearance of the petitioner, the trial Court issued non-bailable warrant, pursuant to which, the petitioner was arrested and remanded to judicial custody.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in these cases. He would further submit that the petitioner co-operated with the trial proceedings in all hearings and due to non-appearance, Non bailable warrant was issued against the petitioner. So, he was arrested and remanded to judicial custody. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that apart from these cases 22 cases are pending against the petitioner, which are similar in nature. After completion of investigation, Charge Sheets have been filed in all the cases in C.C.Nos.139 of 2019, 140 of 2019, 65 of 2019, 75 of 2017, 105 of 2018, 173 of 2016, 221 of 2021, 135 of 2016 in Crime Nos.194 of 2013, 16 of 2014, 221 of 2013, 9 of 2014, 96 of 2014, 118 of 2013, 117 of 2013 and 93 of 2014 respectively. If he is released on bail, he may abscond and there will be no progress in the trial. Hence, he vehemently objected to grant bail to the petitioner.

5. Heard the learned counsel on either side.



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6. Considering the facts and circumstances of these cases and also considering the period of incarceration and it appears that Charge Sheets have been filed in all the pending cases, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. 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 District Munsif cum Judicial Magistrate, Kamuthi, and on further conditions that:

(a) 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;

* (b) the petitioner is directed to appear before the Inspector of Police, Kamuthi Police Station, Ramanathapuram District, daily at 10.30 a.m., until further orders, failing which, the bail granted to the petitioner shall stand automatically vacated.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;



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(e)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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
31/01/2024

(*)FOR BEING MENTIONED AS PER ORDER
OF THIS HON'BLE COURT DATED IN
CRL.OP(MD)NOS.1372, 1373, 1374, 1376,
1377, 1378, 1386 and 1387 of 2024.

/ TRUE COPY /

06/02/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

To

TO BE SUBSTITUTED WITH THE ORDER DATED 31.01.2024 ALREADEY
DESPATCHED

1.The District Munsif cum Judicial Magistrate,
Kamuthi.



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2.Do through the Chief Judicial Magistrate,
Ramanathapuram District.

3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

4.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

5.The Officer Incharge,
District Prison, Ramanathapuram.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-1246[I] dated 31/01/2024)

ORDER
IN

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Date :31/01/2024

ED/ /SAR- (31/01/2024) 6P / 8C

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