



CRL OP(MD). No.2900 of 2024

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

Date : 26/02/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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Sathish

... Petitioner/ Accused No.2

Vs

State represented by
The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
Crime No.151 of 2014

... Respondent/Complainant

For Petitioner : Mr.N.Balasubramanian,
Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in C.C.No.344 of 2014 on the file of the learned Judicial Magistrate, Pattukottai, Thanjavur District.

ORDER : The Court made the following order :-

The petitioner /accused No.2, who is facing trial for the offence punishable under Sections 341, 294(b) and 326 IPC in C.C.No.344 of 2014 on the file of the



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seeks bail.

learned Judicial Magistrate, Pattukottai, Thanjavur District, in Crime No.151 of 2014,

2. The case of the prosecution is that during the course of trial, the petitioner has not appeared before the trial Court and therefore, Non-bailable warrant was issued against the petitioner on 17.03.2021, pursuant to which, the petitioner was arrested and remanded to judicial custody on 25.01.2024.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an illiterate person and due to COVID-19 pandemic, he could not contact his counsel who is appearing before the trial Court, however, the trial Court has issued Non-bailable warrant against the petitioner, pursuant to which, the petitioner was remanded to judicial custody on 25.01.2024 and the petitioner has filed a petition in Cr.M.P.No.1321 of 2024 before the trial Court seeking bail, however, the same was dismissed on 08.02.2024. Hence, the petitioner has filed this petition before this Court seeking bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that no previous case is pending against the petitioner.



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5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and the period of incarceration suffered by the petitioner and that no previous case is pending against the petitioner, 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 Judicial Magistrate, Pattukottai, Thanjavur District** 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 concerned trial Court for every day till the disposal of the case in C.C.No.344 of 2014;



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(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;

(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/-
26/02/2024

/ TRUE COPY /

26/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB



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TO

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- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
MADUKKUR POLICE STATION, THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.BALASUBRAMANIAN, Advocate (SR-2390[I] dated 26/02/2024)

ORDER
IN

CRL OP(MD) No.2900 of 2024
Date :26/02/2024

SS/SAR- /26/02/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023