



CRL OP(MD). Nos.6616 and 6618 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Paisaldeen

... Petitioner/Sole Accused
in Crl.OP(MD)No.6616 of 2024

... Petitioner/ Accused 22 in
Crl.OP(MD)No.6618 of 2024

Vs

The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
Crime No.226 of 2014

... Respondent/ Complainant
in Crl.OP(MD)No.6616 of 2024

The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
Crime No.17 of 2021

... Respondent/ Complainant
in Crl.OP(MD)No.6618 of 2024

In both petitions:

For Petitioner : Mr.B.Anandan,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor



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

COMMON PRAYER :-

To enlarge the petitioner/accused on bail in PRC Nos.69/2019 and 24 of 2023 pending on the file of the learned Judicial Magistrate, Pattukkottai.

COMMON ORDER : The Court made the following order :-

The petitioner, who is an accused in Crime No.226 of 2014 for the offence under Sections 147, 148, 302 r/w 149 of IPC and also shown as an accused in Crime No.17 of 2021 for the offence under Sections 147, 148, 302, 120-B, 212, 149 of IPC r/w 25(1-A) and 27(2) of Arms Act, was arrested on 24.03.2024 based on the Non-Bailable Warrant issued in P.R.C.Nos.69 of 2019 and 24 of 2023 on the file of the learned Judicial Magistrate, Pattukkottai. Therefore, he has filed these petitions seeking bail.

2.1.In Crime No.226 of 2014, charge sheet was filed as against six accused in P.R.C.No.69 of 2019 on the file of the learned Judicial Magistrate, Pattukkottai. In the said case, the petitioner was already released on bail. Subsequently, he has failed to appear before the trial Court for hearing. Therefore, the trial Court has issued a Non-Bailable Warrant as against the petitioner on 28.02.2018.

2.2.In Crime No.17 of 2021, totally there are 21 accused persons including the



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petitioner herein and absconding charge sheet was filed as against the petitioner and the same was taken on file as PRC No.24 of 2023 and a Non-Bailable Warrant has been issued against the petitioner herein on 28.02.2018 due to his non-appearance for hearing.

3.The learned counsel for the petitioner submits that in Crime No.226 of 2014, as against the other accused, the trial was completed and all the accused, except this petitioner, were acquitted by the trial Court. The case which is split up as against this petitioner was committed to the Court of Sessions and listed for trial. He further submits that the petitioner undertakes that he would co-operate for trial and he is also prepared to surrender his passport. He further submits that in Crime No.17 of 2021, the petitioner was implicated based on the confession statement as if the petitioner has funded A1, a sum of Rs.3,000/- from abroad for committing the offences. Admittedly, the motive in this case is against A1. In this case also, final report has been filed. He further submits that though the investigation agency has added him as accused No.22 based on the confession statement that he has funded Rs.3,000/- to A1, the investigation agency has not collected any materials against the petitioner, who was arrested in the case on 24.03.2024 and he is in jail for the past 73 days.



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4. The learned Additional Public Prosecutor appearing for the respondent has strongly objected for grant of bail that if the petitioner is released on bail, he would abscond again and stall the trial proceedings.

5. Considering the facts and circumstances of the case, the undertaking given by the petitioner that he will surrender his passport, also co-operate for trial, considering the fact that the final report has already been filed and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, these Criminal Original Petitions are ordered and the petitioner is ordered to be released on bail on the following conditions:-

i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkotai.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;



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iii) The petitioner shall report before the committal Court on every hearing date without fail;

(iv) The petitioner shall surrender his passport before the committal Court;

(v) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.

(vi) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
04/06/2024

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04/06/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. The Judicial Magistrate, Pattukkotai.
2. Do-Through The Chief Judicial Magistrate,
Thanjore District @ Kumbakonam.
3. The Officer in charge, District Prison, Pudukkottai.



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4. The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.

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

+2 CC to M/s.B.ANANDAN, Advocate (SR-6100,6101[I] dated 04/06/2024)

ORDER
IN

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Date :04/06/2024

RK (04/06/2024) 6P / 8C

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