



CRL OP(MD). No.6892 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

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Rajkumar

... Petitioner/ Accused (Sole)

Vs

The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
Crime No.309/2019

... Respondent/ Complainant

For Petitioner : M/s.C.Senthil Murugan, Advocate

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in SC No.64/2020 on the file of the Sessions Judge, Mahila Court, Pudukkottai in Crime No.309/2019, on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was remanded on 04.03.2024, in pursuant to NBW issued by the learned Sessions Judge, Mahila Court, Pudukkottai in S.C.No.64 of 2020, connected in Crime No.309 of 2019, the alleged offence under Section 302 IPC, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 17.12.2019, the accused persons have



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committed murder of deceased. Hence, the complaint.

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3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. The petitioner is an accused in S.C.No.64 of 2020, on the file of Sessions Judge, Mahila Court, Pudukottai in S.C.No.64 of 2020. The petitioner was already enlarged on bail and thereafter, he could not appear before the trial Court and for which, NBW was issued by the learned Judge. On execution of NBW, he is in judicial custody from 04.03.2024. Hence, prays to release the petitioner on bail.

4.The learned Additional Public Prosecutor would submit that the petitioner did not appear before the trial Court and on 20.06.2022, NBW was issued against him. The case is pending only for the appearance of the petitioner. Hence, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with some stringent 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 learned Sessions Judge, Mahila Court, Pudukottai and on further conditions that :-



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- a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;
- b) the petitioner shall report before the concerned Court daily at 10.30 a.m, until further orders;
- c) the petitioner shall not abscond during trial;
- d) the petitioner shall not tamper with evidence or witness either during 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 is 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];
- f) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/05/2024

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23/05/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE SESSIONS JUDGE, MAHILA COURT, PUDUKKOTTAI.

2 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKOTTAI.

3 THE INSPECTOR OF POLICE, VIRALIMALAI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.6892 of 2024

Date :22/05/2024

RS//SAR-(23.05.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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