



CRL OP(MD). No.7356 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

CRL OP(MD). No.7356 of 2024

Veeramani,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Theavaram Police Station,
Theni District.
Crime No.13 of 2018.

... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy.
Advocate.

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner/Accused on bail in the event of arrest in pursuant to NBW dated 26.04.2024 issued by the learned Chief Judicial Magistrate, Theni District in S.C.No.18 of 2019.



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ORDER : The Court made the following order :-

The petitioner /sole accused, who was arrested and remanded to judicial custody on 30.04.2024, in pursuant to the Non Bailable Warrant issued by the learned Chief Judicial Magistrate, Theni District on 26.04.2024, for the offences under Sections 294(b) and 307 of IPC in Crime No.13 of 2018 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner has abused and assaulted the defacto complainant's brother and caused injuries to him. Hence, the complaint. The case has been taken on file by the learned Chief Judicial Magistrate, Theni in SC No.18 of 2019 and on the date of hearing, the petitioner failed to appear before the trial Court. Therefore, a Non Bailable Warrant has been issued as against the petitioner on 26.04.2024 and the same was executed on 30.04.2024.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been languishing in jail from 30.04.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submits that the investigation was completed and charge sheet has also been



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filed before the jurisdictional Court and the case has been posted for final arguments.

He further submits that in pursuant to the issuance of NBW on 26.04.2024, the petitioner was remanded to judicial custody on 30.04.2024.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration and also considering the fact that the charge sheet has been filed before the jurisdictional Court and the same has been posted for final arguments, this court is inclined to grant bail to the petitioner.

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 Chief Judicial Magistrate, Theni and on further conditions that :-

- 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 respondent police daily at 10.30 a.m., until further orders.
- c) the petitioner shall not abscond either during investigation or trial.
- d) the petitioner shall not tamper with evidence or witness 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 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

/ TRUE COPY /

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

VRN

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE
THENI.
- 2 THE INSPECTOR OF POLICE
THEAVARAM POLICE STATION,
THENI DISTRICT.



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- 3 THE OFFICER INCHARGE
DISTRICT JAIL, THEGAMPATTI, THENI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7356 of 2024
Date :22/05/2024

PKP/22.05.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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