



CRL OP(MD). No.7669 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.05.2024

PRESENT

THE HON`BLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD). No.7669 of 2024

Dinesh Kumar

... Petitioner/ Accused No.1

Vs

State Rep. by

The Inspector of Police,

Koombur Police Station,

Dindigul.

(PRC No.14 of 2020 In Crime No.97 of 2019). ... Respondent/ Complainant

For Petitioner : Mr.M.Iniyavan,Advocate

For Respondent : Mr.S.Ravi

Additional Public Prosecutor

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

PRAYER :-

For Bail in P.R.C.No. 14/2020 in Crime No. 97 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / A1, who was arrested and remanded to judicial custody on

14.02.2024, for the offence under Sections 201, 316 and 302 IPC in P.R.C.No.14 of 2020

<https://www.mhc.tn.gov.in/judis>



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on the file of the Judicial Magistrate, Veda sandur in Crime No. 97 of 2019 on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner submits that NBW was issued against the petitioner on 15.09.2021 and after lapse of more than 2-1/2 years, he was arrested and remanded to Judicial custody on 14.02.2024. He further submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is in jail from 14.02.2024. Hence, he prays for grant of bail to the petitioner.

3. The learned Additional Public Prosecutor appearing for the respondent strongly objects for grant of bail to the petitioner on the ground that he has already absconded for nearly 29 months. Now the case has been committed to Mahila Court, (FTC), Dindigul in S.C.No.43 of 2024.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration, 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 Judicial Magistrate, Veda sandur,



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Dindigul District 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 trial Court 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.
- 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].



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

sd/-
24/05/2024

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24 /05/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

TO

- 1 THE JUDICIAL MAGISTRATE,
VEDASANDUR, DINDIGUL DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE JUDGE
MAHILA COURT (FTC) DINDIGUL
- 4 THE INSPECTOR OF POLICE
KOOMBUR POLICE STATION,
DINDIGUL.
- 5 THE OFFICER INCHARGE
DISTRICT JAIL, DINDIGUL



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

+1 CC to M/s.M.INIYAVAN, Advocate (SR-5852[I] dated 24/05/2024)

ORDER
IN
CRL OP(MD) No.7669 of 2024
Date :24/05/2024

PKP/24.05.2024/ 5P/ 8C

Madurai Bench of Madras High Court is issuing certified
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