



CRL OP(MD). No.7610 of 2024

WEB COPY

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.7610 of 2024

C.Gobalakrishnan

... Petitioner/Sole Accused

versus

The State rep. by
The Inspector of Police,
Pateeswaram Police Station,
Thanjavur District.
(Crime No.53 of 2015)

... Respondent/ Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian,Advocate
For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.53/2015 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.53 of 2015 for the offence under Sections 294(b) and 302 IPC. In this case, charge sheet was filed and the same was taken on file in S.C.No.71 of 2019 on the file of the



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learned Sessions Judge, Mahalir Neethi Mandram (Fast Track Mahila Court), Thanjavur. Since the petitioner has failed to appear before the Court for hearing, a Non-Bailable Warrant has been issued as against the petitioner on 26.11.2019, based on which, he was secured only on 02.11.2023. Therefore, he has filed this petition seeking bail.

2. The learned Additional Public Prosecutor submits that due to non-appearance of the petitioner, Non-Bailable Warrant was issued by the Court, based on which, he was arrested on 02.11.2023.

3. The learned counsel appearing for the petitioner submits that the petitioner undertakes that he will appear before the trial Court in all the date of hearings without fail. Therefore, he prays for grant of bail to the petitioner.

4. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

a) on the petitioner 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 Court, Kumbakonam, Thanjavur District.

b) the sureties shall affix their photographs and Left Thumb Impression in the



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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

c) The petitioner shall appear before the Trial Court in all the date of hearings, without fail and co-operate for the trial.

d) the petitioner shall not abscond either during investigation or trial.

e) the petitioner shall not tamper with evidence or witness either during investigation or trial.

f) 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].

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

sd/-
22/05/2024

/ TRUE COPY /

22/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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OGY
TO

- 1 THE JUDICIAL MAGISTRATE, KUMBAKONAM, THANJAVUR DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
PATEESWARAM POLICE STATION, THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE, DISTRICT JAIL, THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.7610 of 2024

Date :22/05/2024

PKP/22.05.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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