



CRL OP(MD). No.11199 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.11199 of 2024

Vicky @ Vickneshkumar,

... Petitioner/ Accused No.8

Vs

The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.

(*)Crime No.88 of 2014.**

... Respondent/ Complainant

For Petitioner : Mr.C. Susikumar,Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in **(***)Crime No.88 of 2014** on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / accused, who was arrested and remanded in judicial custody from 07.12.2023 for the offences punishable under Sections 147, 148, 324, 307 r/w.



CRL OP(MD). No.11199 of 2024

Section 149 I.P.C, in **(***)Crime No.88 of 2014**, on the file of the respondent police, seeks bail.

WEB COPY

2. The petitioner/ Accused, who is facing a case, in **(*)PRC No. 41/2019** on the file of the learned District Munsif cum Judicial Magistrate, Thiruppuvanam, in **(***)Crime No.88 of 2014** on the file of the respondent police, seeks bail.

3. The petitioner was absent during the committal in PRC No. 41/2019 before the file of the learned District Munsif cum Judicial Magistrate, Thiruppuvanam. Therefore, Non-Bailable Warrant came to be issued and the same was executed on 07.12.2023 and he is still in judicial custody.

4. The learned counsel appearing for the petitioner would submit that the petitioner was already inside the prison for another case and he did not receive the summon. Due to failure of communication of the petitioner, he did not appear before the District Munsif cum Judicial Magistrate, Thiruppuvanam. Therefore, Non-Bailable Warrant was issued against him and he was arrested and remanded in judicial custody on 07.12.2023. Hence, he prays for bail to the petitioner.

5. The learned Additional Public Prosecutor would submit that the investigation has been completed and the charge sheet has already been filed before the District Munsif cum Judicial Magistrate, Thiruppuvanam and the case is pending for committal. Hence, he strongly opposed to grant bail to the petitioner.



CRL OP(MD). No.11199 of 2024

WEB COPY

6. Considering the period of incarceration and also considering the fact that the case is pending for committal, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. 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 the District Munsif -cum- Judicial Magistrate, Thiruppuvanam.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the District Munsif cum Judicial Magistrate, Thiruppuvanam, on every hearing date without fail.

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial.

(v) 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 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].



CRL OP(MD). No.11199 of 2024

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

WEB COPY

sd/-
23/07/2024

(*)(**)CORRECTED AS PER ORDER
OF THIS COURT DATED 25.07.2024
IN CRL OP(MD)NO.11199/2024

(***)CORRECTED AS PER ORDER OF
THIS COURT DATED 29.07.2024 IN
CRL OP(MD)NO.11199/2024

/ TRUE COPY /

29/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 23.07.2024 ALREADY
DESPATCHED

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUPPUVANAM.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THIRUPPACHETHI POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL ,PUDUKKOTTAI.



CRL OP(MD). No.11199 of 2024

WEB COPY

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

ORDER
IN
CRL OP(MD) No.11199 of 2024
Date :23/07/2024

PKP/23.07.2024/ 5P/6C
SI/SAR (25.07.2024)
ED/ /SAR- (29/07/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023