



CRL OP(MD). No.11216 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

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

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Vicky @ Vickneshkumar,

... Petitioner/ Accused No.8

Vs

The State Rep.by
The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.

* **Crime No. 88/2014.**

... Respondent/ Complainant

For Petitioner : Mr.C. Susikumar, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Criminal Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- This Petition is filed to enlarge the petitioner on bail in connection with the FIR in * **Crime No. 88/2014** on the file of the respondent police which is presently pending as PRC No. 39/2019 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppuvanam.



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ORDER: The Court made the following order :-

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The petitioner/ Accused, who is facing a case, in PRC No. 39/2019 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.

2.The petitioner was absent during the committal in PRC No. 39/2019 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.

3.The learned counsel appearing for the petitioner would submit that the petitioner belongs to remote village and also a seasonal worker. 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.

4.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.

5.Considering the period of incarceration and also considering the fact that the



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case is pending for committal, this Court is inclined to grant bail to the petitioner

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subject to the following 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 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].



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

sd/-
23/07/2024

(* Corrected as per order of this Court
dated 25.07.2024 in CRL OP(MD)
No.11216 of 2024)
/ TRUE COPY /

25/07/2024
Sub-Assistant Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

To be substituted to the order which is already despatched on 23.07.2024

1. The District Munsif cum Judicial Magistrate,
Thiruppuvanam.
2. Do Through,
The Chief Judicial Magistrate,
Sivagangai.
3. The Officer in Charge,
District Jail,
Pudukottai District.
4. The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ(23.07.2024) 5P 6C

ED/ /SAR- (25/07/2024) 5P / 6C

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