



CRL OP(MD)No.11219 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.11219 of 2024

Arulmurugan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Sellur Police Station,
Madurai District.
In Crime No.2473 of 2011

... Respondent/Complainant

For Petitioner : Mr.K.Sheenivasan,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 :-

To enlarge the petitioner on bail in S.C.NO. 16 of 2017 on the file of the IV Additional District and Sessin Judge, Madurai District in Crime No. 2473 OF 2011 on the file of the respondent police.

ORDER : The Court made the following order :-

This Petition is filed to enlarge the petitioner on bail in connection with the

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



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SC.No.16 of 2017 on the file of the learned Additional District and Sessions Judge, Madurai.

2.The petitioner, who was arrested and remanded to judicial custody on 11.07.2024 for the offences punishable under Sections 302 IPC in Cr.No.2473 of 2011 on the file of the respondent police, seeks bail.

3.Earlier the petitioner was granted bail in Crime No.2473 of 2011 and in P.R.C, stage he absconded. After filing charge sheet, as the summon could not be served upon the petitioner, the trial Court, has issued non bailable warrant, for appearance on him and he was arrested on 11.07.2024.

4.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 11.07.2024, hence he may be enlarged on bail.

5.The learned Additional Public Prosecutor would submit that if the petitioner released on bail, again he will abscond and trial will not be proceeded further.

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Hence, he strongly opposed to grant bail.

6.Considering the facts and circumstances of the case and considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 No.2, Madurai District.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/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 learned Additional District and Sessions Judge, Madurai in all hearing dates, 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 Judicial 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



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Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
23/07/2024

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23/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, MADURAI.
- 2 THE JUDICIAL MAGISTRATE NO.II, MADURAI.
- 3 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 4 THE INSPECTOR OF POLICE
SELLUR POLICE STATION, MADURAI DISTRICT.
- 5 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.K.SHEENIVASAN, Advocate (SR-8351[I] dated 23/07/2024)

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ORDER
IN

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Date :23/07/2024

PKP/23.07.2024/ 5P/ 8C

Madurai Bench of Madras High Court is issuing certified
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