



CRL OP(MD). No.11390 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2024

PRESENT

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

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Packia Ranjith

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.
(Crime No. 63 of 2021).

... Respondent/Complainant

For Petitioner : M/s. Balaji.A., Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in connection with P.R.C.No.23 of 2023 on the file of the learned Judicial Magistrate, Karaikudi in connection with Crime No. 63 of 2021 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/A3, who is facing a case for the offence under Sections 147, 148, 341, 294(b), 363, 323, 324, 307 and 506(ii) of IPC, in P.R.C.No.63 2021 on the file of the learned Judicial Magistrate, Karaikudi, in Crime No.63 of 2021 on the file of the respondent police, seeks bail.

2.The petitioner was absent during the trial in P.R.C.No.63 2021 before the learned Judicial Magistrate, Karaikudi. Therefore, Non-Bailable Warrant came to be issued on 05.01.2024 and the same was executed on 18.07.2024 and he is still in judicial custody.

3.The learned counsel appearing for the petitioner would submit that since the petitioner was affected by the viral fever, he did not appear before the learned Judicial Magistrate, Karaikudi. Therefore, Non-Bailable Warrant was issued against him on 05.01.2024 and he was arrested and remanded in judicial custody on 18.07.2024. Originally the petitioner was arrested on 04.07.2024 in connection with Crime No.172 of 2024. Hence, he prays for bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the case is



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pending for trial. Hence, he strongly opposed to grant bail to the petitioner.

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5.Considering the period of incarceration and also considering the fact that the case is pending for trial, this Court is inclined to grant bail to the petitioner 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 learned Judicial Magistrate, Karaikudi.

(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 appear before the trial Court for each and every hearing dates;

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



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iv)the petitioner shall not abscond during trial.

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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].

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

sd/-
24/07/2024

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

DSS

To

1.The Judicial Magistrate,
Karaikudi.



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2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.

4.The Officer Incharge,
District Prison,
Ramanathapuram.

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

+1 CC to M/s.A.BALAJI, Advocate (SR-8428[I] dated 24/07/2024)

ORDER
IN

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Date :24/07/2024

ED/ /SAR- (25/07/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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