



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2024

PRESENT

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

CRL OP(MD). No.11633 of 2024

Nambuvel

Vs

... Petitioner/ Accused No.6

The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
Cr.No.12/2015..

... Respondent/Complainant

For Petitioner : M.S.Jeyakarthik,
Advocate.

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

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 connection with the FIR in Crime No.12 of 2015 on the file of the respondent police which is presently pending as PRC No.27 of 2018 on the file of the learned Judicial Magistrate No.II, Ramanathapuram.

ORDER : The Court made the following order :-

The petitioner/ A6, who is facing a case for the offence under Sections 147, 148 of

IPC and Section 3 of TNPPDL Act, in PRC No.27 of 2018 on the file of the learned

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



Judicial Magistrate No.II, Ramanathapuram, in Crime No.12 of 2015 on the file of the respondent police, seeks bail.

2.The petitioner was absent during the trial in PRC No.27 of 2018 before the learned Judicial Magistrate No.II, Ramanathapuram. Therefore, Non-Bailable Warrant came to be issued on 15.03.2023 and the same was executed on 09.07.2023 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 the learned Judicial Magistrate No.II, Ramanathapuram. Therefore, Non-Bailable Warrant was issued against him on 15.03.2023 and he was arrested and remanded in judicial custody on 09.07.2023. Hence, he prays for bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the case is pending for trial. Hence, he strongly opposed to grant bail to the petitioner.

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 No.II,

Ramanathapuram.

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



(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;

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].

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

sd/-
26/07/2024

/ TRUE COPY /

26/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



- 1 THE JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM..
- 4 THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-8700[I] dated 26/07/2024)

ORDER
IN

CRL OP(MD) No.11633 of 2024

Date :26/07/2024

MK/26.07.2024 4P 7C

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