



CRL OP(MD). No.12126 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2024

PRESENT

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

CRL OP(MD). No.12126 of 2024

Sonai,

... Petitioner/ Accused 2

Vs

The Inspector of Police,
Theppakulam Police Station,
Madurai District.
Crime No. 67/2006.

... Respondent/Complainant

For Petitioner : M/s.Jus Remedium,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To release the petitioner on bail pending trial in PRC No. 234 of 2024 on the learned Judicial Magistrate No.I, Madurai

ORDER : The Court made the following order :-

The petitioner/ accused, who was arrested and remanded to judicial custody issuance of NBW by the Judicial Magistrate No.II, Madurai in PRC.No.234 of 2024, on 25.07.2024 for the offences punishable under Section 399 of IPC, in Crime No.67 of 2006 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner would submit that due to the ill-health



CRL OP(MD). No.12126 of 2024

WEB COPY

the petitioner has not appeared before the trial Court and his absence is neither wilful nor wanton. However, he would further submit that the petitioner shall abide any condition imposed by this Court.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the offence is of the year 2006. Because of the non appearance of the petitioner case was split up and hence, he strongly opposed to grant bail to the petitioner.

4.Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5.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.I, Madurai.

(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 is directed to pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the Madurai Bench of Madras High Court Bar Association, without prejudice



CRL OP(MD). No.12126 of 2024

WEB COPY

to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(ii) the petitioner shall appear before the concerned Court on each and 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].

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

6. The trial Court is directed to complete the trial process within a period of two months from the date of receipt of a copy of this order.

sd/-
30/07/2024

/ TRUE COPY /

30/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.12126 of 2024

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
THEPPAKULAM POLICE STATION, MADURAI DISTRICT.

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

COPY TO:

THE OFFICER INCHARGE,
MADURAI BENCH OF MADRAS HIGH COURT BAR ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M/S.JUS REMEDIUM, Advocate (SR-8920[I] dated 30/07/2024)

ORDER IN

CRL OP(MD) No.12126 of 2024

Date :30/07/2024

SA/SAR. /30.07.2024/4P/7C

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