



CRL OP(MD). No.12238 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

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

CRL OP(MD). No.12238 of 2024

Jeevanantham

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District,
(Crime No.11/2017.)

... Respondent/Complainant

For Petitioner : Ms.A.S. Rajeswari, Advocate.

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

PETITION FOR BAIL u/s 483 of B.N.S.S

PRAYER :-

To enlarge the petitioner/accused on bail in connection with the case in SC.No.22/2022 on the file of the learned Fast Track Mahila Court, Sivagangai in Crime No.11/2017 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner/ Accused, who is facing a case for the offences under Sections 417, 376, 312, 294(b) and 506(ii) of IPC in S.C.No.22 of 2022 on the file of the Fast Track Mahila Court, Sivagangai, in Crime No.11 of 2017 on the file of the respondent police, seeks bail.

2.The petitioner was absent during the trial in S.C.No.22 of 2022 before the Fast Track Mahila Court, Sivagangai. Therefore, Non-Bailable Warrant came to be issued on 05.06.2024 and the same was executed on 11.07.2024 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 Fast Track Mahila Court, Sivagangai. Therefore, Non-Bailable Warrant was issued against him on 05.06.2024 and he was arrested and remanded in judicial custody on 11.07.2024. 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 Fast Track Mahila Court, Sivagangai, and the case is pending for trial. Hence,



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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 Fast Track Mahila Court, Sivagangai.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Judge/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 trial court on every hearing;

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

(v)the petitioner shall not abscond during trial.

(vi)On breach of any of the aforesaid conditions, the learned Judge/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 Judge/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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vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
31/07/2024

/ TRUE COPY /

02/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

To

1.The Sessions Judge,
Fast Track Mahila Court, Sivagangai.

2.The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.

3.The Officer Incharge,
Ramanathapuram District Prison,
Ramanathapuram.

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

+1 CC to M/s.A.S.RAJESWARI, Advocate (SR-9082[I] dated 31/07/2024)

ORDER
IN
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Date :31/07/2024



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ED/ /SAR- (02/08/2024) 5P / 6C

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