



CRL OP(MD). No.12450 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2024

PRESENT

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

CRL OP(MD). No.12450 of 2024

Palraj

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(Crime No.113 of 2011.)

... Respondent/ Complainant

For Petitioner : M.S.Jeyakarthik, 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 SC.No.179 of 2018 on the file of the Principal District Court, Thoothukudi, in connection with Crime No.113 of 2011 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A2, who is facing a case for the offence under Sections 147, 148, 324 & 506(ii) of IPC and Section 3 of TNPPDL Act, in SC.No.179 of 2018 on the file of the Principal District Court, Thoothukudi, in Crime No.113 of 2011 on the file of the



CRL OP(MD). No.12450 of 2024

respondent police, seeks bail.

WEB COPY

2.The petitioner was absent during the trial in SC.No.179 of 2018 on the file of the Principal District Court, Thoothukudi. Therefore, Non-Bailable Warrant came to be issued on 11.02.2022 and the same was executed on 01.07.2024. Hence, the petitioner filed a bail petition in CrI.OP(MD)No.4821 of 2024 and the same was dismissed on 29.07.2024. Hence, this petition.

3.The learned counsel appearing for the petitioner would submit that due to his avocation in out of station, he has not appeared before the Principal District Court, Thoothukudi. Therefore, Non-Bailable Warrant was issued against him and he was arrested and remanded to judicial custody on 01.07.2024. Hence, he prays for bail to the petitioner.

4.The learned Additional public Prosecutor would submit that the case is pending for trial.

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 Principal District Court, Thoothukudi.



CRL OP(MD). No.12450 of 2024

WEB COPY

(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 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 abscond, a fresh FIR can be registration under Section 229A IPC.

sd/-
01/08/2024

/ TRUE COPY /

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



CRL OP(MD). No.12450 of 2024

DSS
WEB COPY
To

1.The Principal District Judge,
Thoothukudi.

2.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.

3.The Officer Incharge,
District Jail, Srivaikundam.

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-9189[I] dated 01/08/2024)

ORDER
IN

CRL OP(MD) No.12450 of 2024

Date :01/08/2024

ED/ /SAR- (02/08/2024) 4P / 6C

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