



CRL OP(MD). No.12600 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2024

PRESENT

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

CRL OP(MD). No.12600 of 2024

Manikkam

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Ottanchathram,
Dindigul
in Crime No. 7 of 2015.

... Respondent/Complainant

For Petitioner : M/s. Manikandan.P., 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 respect of S.C.No. 251 of 2018 pending before the learned Fast Track Mahila Judge, Dindigul in Crime No. 7 of 2015 on the file of the respondent police.



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ORDER: The Court made the following order :-

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This Petition is filed to enlarge the petitioner on bail in respect of S.C.No. 251 of 2018 pending before the learned Fast Track Mahila Judge, Dindigul in Crime No. 7 of 2015 on the file of the respondent police.

2. The petitioner/ Accused, who was arrested and remanded to judicial custody on 28.06.2024 for the offences punishable under Section 376(2)M I.P.C, in crime No.7 of 2015 on the file of the respondent police, seeks bail.

3. Earlier the petitioner was granted bail in Crime No.7 of 2015 and in S.C., stage he absconded. After filing charge sheet, it was numbered as S.C.No.251 of 2018, as the summon could not be served upon the petitioner, the trial Court, has issued non bailable warrant, for appearance on him and he was arrested on 28.06.2024.

4.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 28.06.2024, hence he may be enlarged on bail.

5.The learned Government Counsel would submit that out of 19 witnesses , 18 witnesses have been examined and the case is posted for I.O.. Hence, he strongly opposed to grant bail.



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6.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 on certain conditions.

7.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 Fast Track Mahila Court, Dindigul ;

(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 report before the trial Court daily at 10.30 a.m., on every hearing 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].



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

sd/-
02/08/2024

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05/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

To

1.The Fast Track Mahila Judge,
Dindigul.

2.The Inspector of Police,
All Women Police Station,
Oddanchathram, Dindigul.

3.The Officer Incharge,
District Jail, Dindigul.

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

ORDER
IN
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Date :02/08/2024



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ED/ /SAR- (05/08/2024) 5P / 5C

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