



CRL OP(MD). No.12641 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.12641 of 2024

Dharma @ Dharmaraj

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
(Crime No.418/2021).

... Respondent/Complainant

For Petitioner : M/s.Sriharisuriya I, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.418/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 23.04.2024 for the offences punishable under Sections 392, 398, 395, 120(B), 109 and 412 I.P.C, in crime No.418 of 2021 on the file of the respondent police, seeks bail.



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2. Earlier the petitioner was granted bail in Crime No.301 of 2016 and in P.R.C, stage he absconded. After filing charge sheet, as the summon could not be served upon the petitioner, the trial Court, has issued non bailable warrant on 30.09.2022, for appearance on him and he was arrested on 23.04.2024.

3.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 23.04.2024, hence he may be enlarged on bail.

4.The learned Government Counsel would submit that the petitioner is having 17 previous cases and this is the third bail application. Hence, he strongly opposed to grant bail.

5.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.

6.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, Pudukottai;

(i)the sureties shall affix their photographs and left thumb impression in the



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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].

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

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To

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1.The Judicial Magistrate,
Pudukottai.

2.Do through the Chief Judicial Magistrate,
Pudukottai District.

3.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

4.The Officer Incharge,
Sub Jail, Theni.

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

+1 CC to M/s.I.SRIHARISURIYA, Advocate (SR-9275[I] dated 02/08/2024)

ORDER

IN

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Date :02/08/2024

ED/ /SAR- (02/08/2024) 4P / 7C

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