



CRL OP(MD). No.13384 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Selvakani @ Selvam @ Kilavanpaadi

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.376/2018.)

... Respondent/Complainant

For Petitioner : Mr.K.Sivabalan, Advocate
for M/s.Aran Legal Consultancy, 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 the case in
P.R.C.No.2 of 2020 n Crime No. 376/2018 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 connection with the case in P.R.C.No.2 of 2020, in Crime No. 376 of 2018 on the file of the Respondent Police.

2. The petitioner/Accused, who was arrested and remanded to judicial custody on 17.07.2024 for the offences punishable under Sections 294(b), 387, 506 (ii) I.P.C and Section 25(1A) of Arms Act, in crime No.376 of 2018 on the file of the respondent police, seeks bail.

3. Earlier the petitioner was granted bail in Crime No.376 of 2018 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 27.09.2021, for appearance on him and he was arrested on 17.07.2024.

4. Heard the learned counsel on either side and perused the material records of the case.

5. Considering the overall facts and circumstances of the case and also considering the fact that the petitioner is said to have gone away without attending Court as a manual labour to Kerala and therefore, he was absent for two years and now, he is arrested by execution of N.B.W. on 17.07.2024 and considering the undertaking given by the learned counsel of the petitioner that hereafter the



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petitioner will duly attend the Court for all hearings. On the condition that the petitioner should attend the Court all the hearings without fail, I am inclined to enlarge the petitioner on bail with 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, Manamadurai, Sivagangai District.

(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 on all subsequent 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/-
14/08/2024

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14/08/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

To

1.The Judicial Magistrate,
Manamadurai, Sivagangai District.

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

3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

4.The Superintendent,
Central Prison,
Madurai.

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

+1 CC to M/s.K.SIVABALAN, Advocate (SR-9954[I] dated 14/08/2024)



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ORDER

IN

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Date :14/08/2024

ED/ /SAR- (14/08/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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