



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13383 of 2024

Suresh

... Petitioner/ Accused No.6

Vs

The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
(In Crime No.303 of 2014).

... Respondent/ Complainant

For Petitioner : Mr.P.Veerpandi
Advocate.

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

Petition for Bail under Sec.483 of BNSS

PRAYER :- To release the petitioner in connection with Nonailable Warrant issued against him in S.C.No.451 of 2021 in Crime No.303 of 2014 on the file of the learned I Additional District and Sessions Judge, Tirunelveli, Tirunelveli District.

ORDER : The Court made the following order :-

This Petition is filed to release the petitioner in connection with Nonailable Warrant issued against him in S.C.No.451 of 2021 in Crime No.303 of 2014 on the file of the learned I Additional District and Sessions Judge, Tirunelveli, Tirunelveli District.



WEB COPY

2. The petitioner/Accused, who was arrested and remanded to judicial custody on 12.06.2024 for the offences punishable under Sections 147, 148, 294(b), 302, 120(b), 149 114 r/w. 34 I.P.C , in crime No.303 of 2014 on the file of the respondent police, seeks bail.

3. Earlier the petitioner was granted bail in Crime No.303 of 2014 and in S.C, stage he absconded. After filing charge sheet, as the summon could not be served upon the petitioner, the trial Court, has issued nonailable warrant on 12.06.2024, for appearance and he was arrested on the same day ie. 12.06.2024.

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

5. Considered the fact that the petitioner did not appear before the trial Court on 12.06.2024 and he was arrested on the same day and the case is under Section 302 I.P.C and there are 25 accused in the case and one after the other accused are dragging on the matter. Considered the fact that the petitioner has got seven previous cases, the petitioner has to put on stringent conditions while enlarging him on bail. The learned counsel for the petitioner submits that any stringent condition may be imposed and he is even willing to comply with the cash security. In view

thereof, the petitioner is released on bail on condition that he will deposit a sum of



Rs.25,000/- as cash surety to the credit of S.C.No.451 of 2021 on the file of the learned I Additional District and Sessions Judge, Tirunelveli, Tirunelveli District.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing his own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) and also with two sureties each for a like sum to the satisfaction of the learned I Additional District and Sessions Judge, Tirunelveli, Tirunelveli 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) he will deposit a sum of Rs.25,000/- as cash surety to the credit of S.C.No.451 of 2021 on the file of the learned I Additional District and Sessions Judge, Tirunelveli, Tirunelveli District. Upon such deposit, the petitioner shall be enlarged on bail;

(iii) the petitioner shall appear before the trial on all subsequent hearing without fail;

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



WEB COPY

v)the petitioner shall not abscond during trial.

vi)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].

sd/-
23/08/2024

/ TRUE COPY /

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

TO

- 1 THE I ADDITIONAL DISTRICT & SESSIONS JUDGE,
TIRUNELVELI,TIRUNELVELI DISTRICT.
- 2 THE INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION
TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.



4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.VEERPANDI.P Advocate SR.No.10358

ORDER
IN
CRL OP(MD) No.13383 of 2024
Date :23/08/2024

MGJ(23.08.2024) 5P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023