



CRL OP(MD). No.14297 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14297 of 2024

Parthasarathy @ Sarathy,

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Dindigul Town West Police Station,
Dindigul District.
Crime No.418/2021.

... Respondent/ Complainant

For Petitioner : M/s. Suresh.M,
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 Spl.S.C.No.351 of 2023 on the file of the Learned Special Court for Exclusive Trial of cases under POCSO Act, Dindigul in connection with Crime No.418 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A3, who is facing a case for the offence under Sections 147, 148, 302



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and 149 of IPC, in Spl.S.C.No.351 of 2023 on the file of the learned Special Court for Exclusive Trial of cases under POCSO Act, Dindigul, in crime No.418 of 2021 on the file of the respondent police, seeks bail.

2.The petitioner was absent during the trial in Spl.S.C.No.351 of 2023 on the file of the learned Special Court for Exclusive Trial of cases under POCSO Act, Dindigul. Therefore, Non-Bailable Warrant came to be issued on 10.07.2024 and the same was executed on the same day itself. From onwards, he is in judicial custody.

3. Heard both sides.

4. Considering the fact that the petitioner was earlier enlarged on bail in the same case and he was arrested in connection with different case in Crime No.407 of 2024 on 09.07.2024, he was not able to appear before the trial court on 10.07.2024 and that the respondent have also not produced him before the concerned Court on the said date and that the petitioner is now in prison from the said date and also considering the reason for non-appearance, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5.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 Special Court for Exclusive Trial of cases under POCSO Act, Dindigul.



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(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 for each and 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/08/2024

/ TRUE COPY /

30/08/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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DSS

TO

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1 THE SPECIAL JUDGE FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
DINDIGUL.

2 THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL.

3 THE INSPECTOR OF POLICE,
DINDIGUL TOWN WEST POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER IN
CRL OP(MD) No.14297 of 2024
Date :30/08/2024

SA/SAR. /30.08.2024/4P/5C

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