



CRL OP(MD). No.14794 of 2024

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

Date : 04/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14794 of 2024

Janarthanan,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Cciw Cid Police Station,
Thanjavur District.
(Crime No.04/2003).

... Respondent/Complainant

For Petitioner : M/s. Bharathi.S,
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 C.C.No.16 2021 on the file of the learned Judicial Magistrate, Kumbakonam, in connection with Crime No.4 of 2003 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who is facing a case for the offence under



CRL OP(MD). No.14794 of 2024

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Sections 408, 477(A) of IPC, in C.C.No.16 of 2021 on the file of the Judicial Magistrate, Kumbakonam, in Crime No.4 of 2003 on the file of the respondent police, seeks bail.

2.The petitioner was absent during the trial in C.C.No.16 of 2021 before the learned Judicial Magistrate, Kumbakonam. Therefore, Non-Bailable Warrant came to be issued on 02.04.2008 and the same was executed only on 30.05.2024 and from onwards, he is in judicial custody.

3.Heard both sides.

4. Considering the argument of the learned counsel for the petitioner that the petitioner, after getting transferred, he did not know about the case and even continued his service in the other society at Coimbatore and other places and also considering the fact that he is in custody for the past 49 days, 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



CRL OP(MD). No.14794 of 2024

Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Kumbakonam.

(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 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];



CRL OP(MD). No.14794 of 2024

vi) If the accused thereafter abscond, a fresh FIR can be registered under
Section 229A IPC;

sd/-
04/09/2024

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04/09/2024
Sub-Assistant Registrar (CO)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

- 1 THE JUDICIAL MAGISTRATE
KUMBAKONAM.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 - 3 THE OFFICER INCHARGE
SUB JAIL, KUMBAKONAM..
 - 4 THE INSPECTOR OF POLICE
CCIW CID POLICE STATION, THANJAVUR DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.S.BHARATHI, Advocate (SR-10884[I] dated 04/09/2024)



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CRL OP(MD). No.14794 of 2024

ORDER
IN
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Date :04/09/2024

SS/SAR- /04/09/2024/5P/7C

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