



CRL OP(MD). No.14815 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14815 of 2024

Esakkipandi @ Chinnadurai,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.
Crime No.332 of 2023..

... Respondent/ Complainant

For Petitioner : Mr.K.Jeyamohan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

To enlarge the petitioners on bail in S.C No. 157 of 2024 on the file of the IV
Additional District & Sessions Judge, Tirunelveli District.



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ORDER : The Court made the following order :-

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The petitioner/ A2, who is facing a case for the offence under Sections 147, 148, 341, 294(b), 302 & 506(ii) of IPC @ 147, 148, 341, 294(b), 302 & 506(ii), 120(B) & 34 of IPC, in S.C No. 157 of 2024 on the file of the IV Additional District & Sessions Judge, Tirunelveli District, in Crime No.332 of 2023 on the file of the respondent police, seeks bail.

2.Heard both sides.

3.The case is serious in nature. Besides, the petitioner has also got huge number of cases. Therefore, the normal rule of granting bail cannot be applied as such to the petitioner. However, only considering the fact that even though the petitioner is in judicial custody from 07.09.2023, not even charges is framed and it will take a while for the Court to complete the trial, I am inclined to enlarge the petitioner on bail certain conditions.

4.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



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(*) the IV Additional District & Sessions Judge, Tirunelveli District.

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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 stay at Utthamapalayam Police Station, and report before the respondent police daily at 10.30 a.m., for a period of six weeks and thereafter, as and when required for interrogation;

(iii) In the meanwhile, since S.C No. 157 of 2024 on the file of the IV Additional District & Sessions Judge, Tirunelveli District, for the dates of hearing, in the said case alone, the petitioners can come over to Tirunelveli and appear without fail on all dates of hearing. After attending the case, he should return back to Utthamapalayam. It is made clear that no relaxation of the condition for the period of three months will be entertained by this Court.

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

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



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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].

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

sd/-
13/09/2024

(*)CORRECTED AS PER ORDER OF THE
COURT DATED 18.09.2024 IN CRL OP
(MD)NO.14815 OF 2024

/ TRUE COPY /

18/09/2024
Sub-Assistant Registrar (CS-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. THE IV ADDITIONAL DISTRICT & SESSIONS JUDGE,
TIRUNELVELI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI..
3. THE INSPECTOR OF POLICE,
MUNEERPALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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COPY TO

THE INSPECTOR OF POLICE,
UTTHAMAPALAYAM POLICE STATION
THENI.

ORDER
IN
CRL OP(MD) No.14815 of 2024
Date :13/09/2024

RK (18/09/2024) 5P / 6C

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