



CRL OP(MD). No.15632 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15632 of 2024

Ajithkumar,

... Petitioner/ Accused 1

Vs

The State of Tamil Nadu,
Rep. By, the Sub Inspector of Police,
Thiruvudaimaruthur Police Station,
Thanjavur District.
(In Crime No.138 of 2019).

... Respondent/Complainant

For Petitioner : M/s.Vivek.K,
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 P.R.C.No.12 of 2024 in Crime No.138 of 2019 on the file of the District Munsif cum Judicial Magistrate, Thiruvudaimaruthur, Thanjavur District.

ORDER : The Court made the following order :-

This Petition is filed to enlarge the petitioner on bail in P.R.C.No.12 of 2024 in Crime No.138 of 2019 on the file of the District Munsif cum Judicial Magistrate, Thiruvudaimaruthur, Thanjavur District.

2. The petitioner/ Accused, who was arrested and remanded to judicial custody



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on 12.08.2024 for the offences punishable under Sections 341, 294(b), 307 and 506(ii)

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I.P.C, in crime No. 138 of 2019 on the file of the respondent police, seeks bail.

3. Earlier the petitioner was granted bail in Crime No.138 of 2019 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, had issued non bailable warrant 02.08.2024, for appearance and he was arrested on 12.08.2024.

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 considering the nature of allegation that the petitioner did not attend the Court on 02.08.2024 and that an NBW was issued and thereafter, he was arrested on 12.08.2024, considering the fact that the other accused is also attending the case and the case is posted for committal on 04.10.2024, 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 District Munsif cum Judicial Magistrate, Thiruvudaimaruthur, Thanjavur 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 appear before the District Munsif cum Judicial Magistrate, Thiruvidadaimaruthur, Thanjavur District, in P.R.C.No.12 of 2024 and thereafter, he 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].

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
23/09/2024

/ TRUE COPY /

23/09/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE
SUB JAIL, THIRUVIDAIMARUTHUR.

4 THE SUB INSPECTOR OF POLICE,
THIRUVIDAIMARUTHUR POLICE STATION, THANJAVUR DISTRICT.

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

ORDER IN
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Date :23/09/2024

SA/SAR. /23.09.2024/4P/6C

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