



CRL OP(MD). No.16090 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16090 of 2024

Mariyaselvam,

... Petitioner/ Accused No.7

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thadikombu Police Station,
Dindigul District.
Crime No.232/2023..

... Respondent/ Complainant

For Petitioner : Mr.M.Suresh,
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 P.R.C.No.86 of 2023 on the file of the learned Judicial Magistrate No.2, Dindigul.

ORDER : The Court made the following order :-

The petitioner/ A7, who is facing a case for the offence under Section 399 of IPC



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in P.R.C.No.86 of 2023 on the file of the learned Judicial Magistrate No.2, Dindigul,
in Crime No.232 of 2023 on the file of the respondent police, seeks bail.

2.The petitioner was absent during the trial in P.R.C.No.86 of 2023 on the file of the learned Judicial Magistrate No.2, Dindigul. Therefore, Non-Bailable Warrant came to be issued on 13.08.2024 and the same was executed on 01.09.2024. From onwards, he is in judicial custody.

3. Heard both sides.

4. Considering the nature of the allegations in this case that the petitioner, who was already granted bail, did not attend the hearing of the court on 13.08.2024, and thereafter, he was arrested on 01.09.2024 and also considering the argument made by the learned counsel for the petitioner that all the other accused are also attending the case and this petitioner will also hereafter attend without any fail, this Court is inclined to enlarge the petitioner on bail with certain 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 Judicial Magistrate No.2, Dindigul.

(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



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card or Bank Pass Book to ensure their identity;

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(ii) the petitioner shall attend the case in PRC.No.86 of 2023 without fail for all hearing and after committal also attend the case without fail for all hearings;

(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/-
25/09/2024

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25/09/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.2
DINDIGUL.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL..
- 4 THE INSPECTOR OF POLICE,
THADIKOMBU POLICE STATION,
DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.16090 of 2024

Date :25/09/2024

SS/SAR- /25/09/2024/4P/6C

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