



CRL OP(MD). No.16804 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16804 of 2024

Rengarajan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District,
Crime No.112/2016.

... Respondent/Complainant

For Petitioner : Mr.K.Suyambulingabharathi,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.112/2016 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on 26.06.2024 for the offence punishable under Sections 341, 294(b), 302, 506(ii) r/w. 34 of IPC, in Crime No.112 of 2016 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 12.06.2024, the learned I Additional District and Sessions Judge, Thoothukudi, issued Non-bailable Warrant as against the petitioner and subsequently, the petitioner was arrested on 26.06.2024.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of allegation in this case that the petitioner was originally granted bail, however, he did not appear before the trial Court on 12.06.2024 and that the non-bailable warrant was issued and in execution thereof, the petitioner was taken into custody on 26.06.2024 and considering the submission made by the learned Counsel on either side that even in the other cases, the petitioner is regularly appearing before the trial Court and considering the



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submission made by the learned Counsel for the petitioner that he only requested his Counsel on record to file a petition under Section 317 of Cr.P.C and that was omitted and only on account of which, non bailable warrant was issued and also considering the argument of the learned Counsel for the petitioner that henceforth the petitioner will appear regularly for all the hearings, I am 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 learned I Additional District and Sessions Judge, Thoothukudi.

(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 on all hearing dates without fail.

(iii) As undertaken, an affidavit stating that the petitioner will carry a mobile



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phone and keeping his location shared to the Investigation Officer shall also be filed before the learned Magistrate concerned.

(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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/10/2024

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03/10/2024

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

JBR



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TO

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- 1 THE I ADDITIONAL DISTRICT
AND SESSIONS JUDGE, THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE,
MURAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT,
- 3 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-12077[I] dated 03/10/2024)

ORDER
IN

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Date :03/10/2024

SS/SAR- /03/10/2024/5P/6C

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