



CRL OP(MD). No.18558 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 28/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18558 of 2024

Kaniraja

... Petitioner/ Accused No.12

Vs

State of Tamilnadu,  
Through the Inspector of Police,  
Sivagangai Town Police Station,  
Sivagangai District.  
(Crime No.549 of 2021).

... Respondent/Complainant

For Petitioner : Mr. R.Balamuruganantham,  
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

To release the Petitioner on bail relating to the case in S.C.No.108 of 2024 on the file of the Additional District and Sessions Court, Sivagangai, Sivagangai District in Crime No. 549 of 2021 on the file of the respondent police station.



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ORDER: The Court made the following order :-

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The petitioner/ A12, who is facing a case for the offence under Sections 147, 148, 294(b), 342, 302, 506(ii) r/w 109, 120(b) of IPC, in S.C.No.549 of 2024 on the file of the Additional District and Sessions Court, Sivagangai, Sivagangai District in Crime No. 549 of 2021 on the file of the respondent police station, seeks bail.

2.The petitioner was absent during the trial in S.C.No.108 of 2024 on the file of the Additional District and Sessions Court, Sivagangai, Sivagangai District. Therefore, Non-Bailable Warrant came to be executed on 14.10.2024. From onwards, he is in judicial custody. Hence, the petition.

3. Heard both sides.

4. Considering the nature of the allegations in this case that there are totally 18 accused and the petitioner was absent for the hearing on 08.07.2024 and thereafter, the petitioner was arrested 14.10.2024 and considering the fact that the case is pending on account of the fact that some other accused are absconding, this Court is inclined to grant bail to the petitioner subject to the following conditions



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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 Additional District Court, Sivagangai.

(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 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



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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/-  
28/10/2024

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28/10/2024

Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

PAL

TO

- 1 THE ADDITIONAL DISTRICT JUDGE, SIVAGANGAI.
- 2 THE INSPECTOR OF POLICE,  
SIVAGANGAI TOWN POLICE STATION,  
SIVAGANGAI DISTRICT.
- 3 THE SUPERINTENDENT  
CENTRAL PRISON, TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate ( SR-13270[I] dated 28/10/2024 )

ORDER  
IN  
CRL OP(MD) No.18558 of 2024  
Date :28/10/2024

SS/SAR- /28/10/2024/ 5P/6C

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