



CRL OP(MD). No.18662 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18662 of 2024

Rajkumar @ Raja

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.
Crime No.09 of 2019..

... Respondent/ Complainant

For Petitioner : Mr.K.P.Narayanakumar,
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 :-

For Bail in Crime No.09 of 2019 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 29.08.2024 for the offences punishable under Sections 307 @ 302 and 34 IPC in crime No.9 of 2019 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

3. Considering the nature of allegation in this case that the petitioner was earlier granted bail in this case but however, he did not attend the court and the Non Bailable warrant was issued on 11.07.2024 and that thereafter, he was arrested on 29/8/2024 and considering the fact that in respect of the other accused also NBW is spending and the matter now stands posted to 28/11/2024,, I am inclined to enlarge the petitioner on bail.

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 the



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learned I Additional District and Sessions Judge, Thoothukudi.

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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 concerned Court on all hearing dates without fail. It is made clear that if again NBW is issued, thereafter, bail will not be granted until the end of the trial.

(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].



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(vi)if the accused thereafter absconds, a fresh FIR can be registered under

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Section 229-A IPC.

sd/-
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29/10/2024

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

TRP

TO

1. THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE, THOOTHUKUDI.
2. THE OFFICER IN CHARGE, DISTRICT JAIL, PERURANI.
- 3.THE INSPECTOR OF POLICE,
MEIGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-13351[I] dated 29/10/2024)

ORDER
IN

CRL OP(MD) No.18662 of 2024
Date :29/10/2024



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WRK (29/10/2024) 5P / 6C

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