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CRL OP(MD). No.18819 of 2024

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.18819 of 2024

P.Muthu Sankar,

... Petitioner/ Accused 4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Meiganapuram Police Station,
Thoothukudi District.
Crime No.23/2023.

... Respondent/ Complainant

For Petitioner : Mr.M.Jegadeesh Pandian
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To release the petitioner/accused No.4 on bail in C.C.No.02/2024 on the file of the Learned Judicial Magistrate, Sathankulam, Thoothukudi District in Crime No.23/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is an accused in C.C.No.02 of 2024 on the file of the learned Judicial Magistrate, Sathankulam, Thoothukudi District, has filed this application seeking bail. The said case was registered for the offence under Section 394 of IPC in



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Crime No.23 of 2023 on the file of the respondent police.

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2.The petitioner was absent during the trial in C.C.No.02 of 2024 learned Judicial Magistrate, Sathankulam, Thoothukudi District. Therefore, Non-Bailable Warrant came to be issued on 30.01.2024.

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

4.Considering the nature of allegations in this case, earlier, the petitioner was granted bail in this case and while he was attending the hearing, he did not attend the hearing on 30.01.2024 and thereafter, he was arrested only on 05.09.2024 and considering the fact that the other accused are attending the case and the submission made by the learned counsel for the petitioner that he will attend the case without fail hereafter, I am inclined to enlarge the petitioner on bail, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Judicial Magistrate, Sathankulam, Thoothukudi District, and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass



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Book to ensure their identity.

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[c] the petitioner shall appear before the trial Court on all hearing dates without fail. It is made clear that if again Non-Bailable Warrant given thereafter, the bail will not be granted till the conclusion of the trial.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/10/2024

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29/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE,
SATHANKULAM, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, THOOTHUKUDI.

4 THE INSPECTOR OF POLICE,
MEIGANAPURAM POLICE STATION, THOOTHUKUDI DISTRICT.

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

ORDER IN
CRL OP(MD) No.18819 of 2024
Date :29/10/2024

SA/SAR. /29.10.2024/4P/6C

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