



CRL OP(MD). No.19629 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Prabhu

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.
Crime No. 116 of 2013.

... Respondent/Complainant

For Petitioner : M/s. Dinesh. K, Advocate

For Respondent : Mr.S.Ravi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To pass an order enlarging the petitioners on bail in connection with S.T.C.No.6 of 2019 on the file of the District Munsif Cum Judicial Magistrate Court, Singampunari, Sivagangai District.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 08.10.2024 for the offences under Section 379 of IPC in S.T.C.No.6 of 2019, on the file of the Learned District Munsif Cum Judicial Magistrate, Singampunari, Sivagangai District, in Crime No.116 of 2013 on the file of the respondent police, seeks bail.

2. The FIR was registered against the petitioner in the year 2013 for the offence



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under Section 379 of IPC. On completion of investigation, police report was filed before the Court below. The same was taken on file in S.T.C.No.6 of 2019. Since the petitioner did not attend the Court hearing, non bailable warrant was issued against by the Court below against him on 30.05.2016. The same came to be executed only 07.10.2024 and the petitioner was produced before the Court.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the case is now at the stage of trial. That apart, there is one other case pending against the petitioner in Crime No.109 of 2018.

4. Heard the learned Counsel appearing on either side.

5. Taking into consideration the facts and circumstances of the case and considering the fact that this is a very old case of the year 2013, which ultimately came before the Court only in the year 2019 and the case is at the stage of trial, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered 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 Judicial Magistrate, (*)Singampunari, Sivagangai District, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the trial Court during every hearing date without fail.

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

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

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.

sd/-
22/11/2024

(*)Substituted as per order of this
Hon'ble Court in CRL OP(MD).
19629/2024 Dated 25/11/2024
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25/11/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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LR
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TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
22/11/2024

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SINGAMPUNARI, SIVAGANGAI DISTRICT.

2 THE JUDICIAL MAGISTRATE, THIRUPPATHUR, SIVAGANGAI DISTRICT.

3 THE JUDICIAL MAGISTRATE, SINGAMPUNARI, SIVAGANGAI DISTRICT.

4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

5 THE OFFICER INCHARGE, TALUK JAIL, THIRUPPATHUR,
SIVAGANGAI DISTRICT.

6 THE INSPECTOR OF POLICE, S.V.MANGALAM POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.19629 of 2024
Date :22/11/2024

SA/SAR. /22.11.2024/4P/7C

RS/SAR. /25.11.2024/4P/8C

Madurai Bench of Madras High Court is issuing
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