



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the First day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12120 of 2015

WEB COPY

THIRUVADAM SAIT

... PETITIONER/ACCUSED NO.4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
TENKARAI POLICE STATION,
PERIYAKULAM, THENI DISTRICT,
IN CRIME NO.111 OF 2009.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.J.SULTHAN BASHA,M/S.AJMAL ASSOCIATES Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A4 in Crime No.111 of 2009 on the file of the respondent police, was arrested and remanded to judicial custody on 25.05.2015 in pursuance of non bailable warrant issued in P.R.C.No.28 of 2011 by the learned Judicial Magistrate, Periyakulam for the alleged offences punishable under Sections 147, 148, 332, 336,353 and 506(ii) of I.P.C. r/w Section 3 of TNPPDL Act and hence, seeks bail.

2. The learned counsel for the petitioner submitted that the case was registered on the basis of the complaint given by One Lab Technician against 30 unnamed accused and this petitioner was not aware of the complaint. The respondent police filed charge sheet showing the petitioner is an absconding accused and he was not aware of the proceedings before the learned Magistrate Court. He further submitted that the petitioner has not committed any offence and he is ready and willing to appear before the committal Court as well as the trial Court for all hearing dates; without fail.

3.The learned Government Advocate(Crl.Side) would submit that the respondent police able to execute the non bailable warrant only after four years and the petitioner is deliberately absconding himself from the trial Court.



4. Considering the facts and circumstances of the case, this Court to inclined to grant bail to the petitioner. Accordingly, the petitioner is directed 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, Theni and on further condition that the petitioner shall appear before the committal Court as well as the trial Court for all hearing dates, without fail.

sd/-
01/07/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
THENI.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE
TENKARAI POLICE STATION, PERIYAKULAM, THENI DISTRICT.

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

+1. CC to M/S.AJMAL ASSOCIATES Advocate SR.No.35027

ORDER
IN
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Date :01/07/2015

PA/SJW/01.07.2015/2P/7C