



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

Thursday, the Twenty Ninth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.23874 of 2014

KALIDASAN

... PETITIONER/ ACCUSED A-3

Vs

STATE REP.BY  
THE SUB-INSPECTOR OF POLICE,  
RAJAPALAYAM POLICE STATION,  
VIRUDHUNAGAR DISTRICT.  
CR.NO.400/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

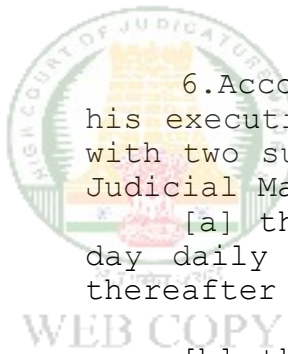
The petitioner, who was arrested and remanded to judicial custody on 01.12.2014 for the offences punishable under Sections 381, 406, 420, 468, 471, 120(b) I.P.C in Crime No.400 of 2014 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that this petitioner was initially arrested by the respondent Police on 08.07.2014 and he was released on bail by the orders of this Court in Crl.O.P.(MD).No.15232 of 2014 on 14.08.2014. While granting bail to the petitioner, this Court had directed him to appear before the respondent Police daily at 10.00 a.m until further orders. The petitioner came out on bail and did not comply with the orders of this Court. On an application made by the respondent Police, this Court cancelled the bail on 14.11.2014 in M.P.(MD).Nos.1 & 2 of 2014 in Crl.O.P.(MD).No.15232 of 2014. Thereafter, this petitioner was arrested on 01.12.2014 and he is in jail since then.

3. Therefore, it is clear that the petitioner has been under incarceration for two spells i.e from 08.07.2014 to 14.08.2014; and from 01.12.2014 to till date.

4. The learned Government Advocate (Crl.Side) submits that investigation has not been completed.

5. In the considered opinion of this Court, the petitioner has suffered for non-compliance of the order of this Court and any further detention of the petitioner may not serve the interest of justice and also in the light of the submission that all the co-accused in this case have been released on bail, this Court is inclined to grant bail to the



6. Accordingly, the petitioner is ordered to be released on bail on his 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, Rajapalayam, and on further condition that:

[a] the petitioner shall report before the respondent police twice a day daily at 10.30 a.m. and 6.30p.m. for a period of four weeks and thereafter as and when required for interrogation.

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

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

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

sd/-  
29/01/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE RAJAPALAYAM.

2. DO THRO THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR.

3. THE ADDL. PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE SUB-INSPECTOR OF POLICE,  
RAJAPALAYAM POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

5. THE OFFICER INCHARGE, SUB JAIL, RAJAPALAYAM.

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.3969

ORDER  
IN  
CRL OP(MD) No.23874 of 2014  
Date :29/01/2015

RG.29.01.2015 2P.7C.