

CRL.O.P.No.18407 of 2016

S.VAIDYANATHAN, J.

The petitioner, who was arrested and remanded to judicial custody on 28.02.2015 for the alleged offences punishable under Sections 341, 336, 392, 397 and 506(ii) IPC and Section 3(1) of PPDL Act, 1984 in Crime No.15 of 2011 on the file of the respondent police and S.C.No.172 of 2013 on the file of the Sub Court, Tambaram, **seeks bail.**

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

3. As the petitioner has not appeared before the Trial Court, Non Bailable Warrant has been issued against the petitioner and the petitioner was arrested on execution of Non Bailable Warrant and remanded to judicial custody.

4. Learned counsel for the petitioner submitted that the petitioner is ready to appear before the Trial Court on all hearings and he is in custody for the past one and a half years.

5. Learned Government Advocate (Crl. Side) submitted that trial is pending in this case and if the petitioner is released on bail, he will abscond and it will be very difficult for the disposal of this case.

6. Taking note of the period of incarceration of the petitioner, **the petitioner is ordered to be released on bail subject to the following conditions:**

**(i) the petitioner shall execute a a bond for a sum
of Rs.10,000/- (Rupees ten Thousand Only) with two**

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sureties, each for a like sum to the satisfaction of the Subordinate Judge, Tambaram.

(ii) the petitioner shall appear before the Trial Court on all hearings without fail.

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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]**.

7. The Trial Court is directed to expedite the trial in S.C.No.172 of 2013 and proceed with the matter by not adjourning the case beyond one week at any point of time and dispose of the case, as early as possible.

22.08.2016

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