



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

Wednesday, the Twentieth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12102 of 2016

SIKKANDAR

..PETITIONER/ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
KEELATHOOVAL POLICE STATION,
RAMNAD DISTRICT.
CR NO. 127 OF 2002.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S G.THIRUVARUTSELVAN Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl.Side)

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

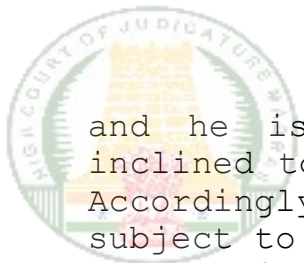
ORDER : The Court Made the following order :-

The petitioner is arrayed as accused, who was arrested and remanded to judicial custody on 06.07.2016 for the alleged offences punishable under Section 3(1)(x) of SC/St (POA) Act, 1989 and Section 34 IPC, in Spl.S.C.No.206 of 2009 on the file of the Principal District and Sessions Court, Ramanathapuram and hence, seeks bail.

2.The learned counsel for the petitioner submitted that due non-appearance before the learned Principal District and Sessions Judge, Ramanathapuram on 22.08.2012, non-bailable warrant was issued against him and thereafter he was arrested and remanded to judicial custody. According to the petitioner, the petitioner filed a petition for quashing the charge, before this Court in Crl.O.P(MD) No.5754 of 2013 and the same is pending and through one of the witnesses by name Sekar, he took steps to compromise the matter and the de facto complainant was died. The petitioner is in judicial custody from 06.07.2016 and prayed for enlarge the petitioner on bail.

3.The learned Government Advocate(Crl.side) submitted that the petitioner was already granted bail and subsequently he jumped out of bail and due to his non-appearance before the Principal District and Sessions Court, Ramanathapuram, on 22.08.2012, non-bailable warrant has been issued against him and thereafter he was secured only on 06.07.2016.

4.Considering the facts and circumstances of the case and also the nature of allegations against the petitioner and the offences committed by him and the petition filed by him for quashing the charge before this Court in Crl.O.P(MD)No.5754 of 2013 is pending



and he is in judicial custody from 06.07.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

(i) the petitioner shall 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 Principal District and Sessions Judge, Ramanathapuram.

(ii) the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

(iii) the petitioner shall not tamper with 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 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]**.

5.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

20/07/2016

/ TRUE COPY /

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

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, RAMANATHAPURAM.

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

3 THE OFFICER-IN-CHARGE, DISTRICT JAIL, RAMANATHAPURAM.

4 THE INSPECTOR OF POLICE, KEELATHOOVAL POLICE STATION,
RAMNAD DISTRICT.

+1. CC to M/S G.THIRUVARUTSELVAN Advocate SR.No.37840

ORDER IN

CRL OP(MD) No.12102 of 2016

Date :20/07/2016