



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

Tuesday, the Twenty Third day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15493 of 2016

IRULANDI

... PETITIONER / ACCUSED

Vs

STATE THROUGH THE
THE SUB INSPECTOR OF POLICE
M.REDDYAPATTI POLICE STATION, VIRUDHUNAGAR
DISTRICT. CR. NO.155/2008

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.OM PRAKASH Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. 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 20.06.2016 for the alleged offences punishable under Sections 147, 148, 332, 336, 109 and 506(ii) IPC r/w Section 3 of TNPPDL Act, in S.C.No.229 of 2011 on the file of the learned Principal Sessions Judge, Virudhunagar District at Srivilliputtur, and hence, seeks bail.

2.The learned counsel for the petitioner submitted that due to non-appearance before the learned Principal Sessions Judge, Virudhunagar District at Srivilliputtur, on 17.12.2013, non-bailable warrant was issued against him and thereafter he was arrested and remanded to judicial custody. In the year 2013, the petitioner went to abroad for his employment and due to that he is unable to attend the Court on the said date and he is in judicial custody from 20.06.2016 and prayed for enlarge the petitioner on bail.



3.The learned counsel for the petitioner submitted that the petitioner will not abscond and he will regularly attend the trial Court in future.

4.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 learned Principal Sessions Judge, Virudhunagar District at Srivilliputtur, non-bailable warrant has been issued against him and thereafter he was secured only on 20.06.2016. If the petitioner is enlarged on bail, again he will abscond and trial cannot be proceed with.

5.Considering the facts and circumstances of the case and also the nature of allegations against the petitioner and offences committed by him and he is in judicial custody from 20.06.2016, 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 Sessions Judge, Virudhunagar District at Srivilliputtur.
- (ii) the petitioner shall report before the said Court daily at 10.30 a.m. for a period of four weeks and thereafter in all future hearings regularly.
- (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,



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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]**.

6.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/-

23/08/2016

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

TO

- 1 THE PRINCIPAL SESSIONS JUDGE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 3 THE SUB INSPECTOR OF POLICE
M.REDDYAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER IN-CHARGE,
SUB JAIL, ARUPPUKOTTAI

+1. CC to M/S.V.OM PRAKASH Advocate SR.No.46503

jam/23.08.16/GSV-PM/SAR III/3P-6C

ORDER

IN

CRL OP(MD) No.15493 of 2016

Date :23/08/2016