



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

Thursday, the Twentieth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.16749 of 2016

MUTHU @ PETCHIMUTHU,

... PETITIONER / SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
NANGUNERI POLICE STATION,
NANGUNERI,
TIRUNELVELI DISTRICT
IN CRIME NO.190 OF 2013

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 26.04.2016 for the alleged offences punishable under Sections 324, 307 and 302 I.P.C. in Crime No.190 of 2013 on the file of the respondent police, seeks bail.

2.It is a case where, initially, bail was granted to the petitioner and he has jumped out of bail and special team was formed and he was taken to custody on 26.04.2016.

3.This Court by an order, dated 16.09.2016 granted interim bail to the petitioner till 17.10.2016, on condition that the petitioner shall report before the Principal Sessions Judge, Tirunelveli on all working days at 10.30 a.m until further orders.

4.Heard the learned counsel on either side.

5.Learned Government Advocate (Crl. side) submitted that the petitioner is complying with the condition and he is having five previous cases.

6.It is not in dispute that the petitioner has been complying with the condition. Even though it is pointed out that the petitioner is having five previous cases, since this Court has



already granted interim bail and as the petitioner has complied with the conditions of interim bail vide order dated 16.09.2016, the petitioner is ordered to be released on bail, subject to the following conditions:

[a] the petitioner shall appear before the Principal Sessions Judge, Tirunelveli on all future hearings at 10.30 a.m until further orders;

[b] the petitioner shall not leave the State of Tamilnadu without obtaining prior permission from the trial Court till the disposal of this case;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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].

7.The trial Court is directed to take up the case in S.C.No.297 of 2016 on a day-to-day basis without adjourning the matter beyond 15 working days at any point of time.

sd/-

20/10/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE PRINCIPAL SESSIONS JUDGE,
TIRUNELVELI.

2 THE INSPECTOR OF POLICE,
NANGUNERI POLICE STATION, NANGUNERI,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1cc to Mr.T.A.Ebenezer Advocate Sr.No. 62361
JAM/25.10.16/SK-SKN/SAR 3 2P-6C

ORDER

IN

CRL OP(MD) No.16749 of 2016

Date :20/10/2016