



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

Monday, the Nineteenth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.16958 of 2016

ESAKKI @ ESAKKIRAJ

... PETITIONER/ACCUSED(9)

Vs

STATE REP.BY ITS,
THE INSPECTOR OF POLICE
SUTHAMALLI POLICE STATION,
TIRUNELVELI DISTRICT
CRIME NO. 159/2009

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.ANGUSAMY Advocate

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

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

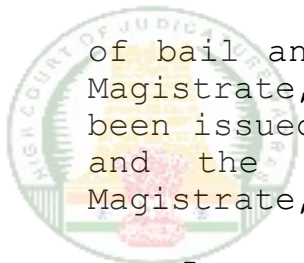
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.9, was arrested and remanded to judicial custody on 14.05.2016 for the alleged offences punishable under Sections 147,148,341,302, 506(ii) R/W. 149, 341, 120(b) of IPC and Section 3(2)(v) of SC/ST (POA) Act and Section 3(b), 4(b), 5(4) and 6 of Arms Act, in Crime No.159 of 2009 on the file of the respondent Police and hence, seeks bail.

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

2.The learned counsel for the petitioner submitted that due to non-appearance of the petitioner before the learned Judicial Magistrate, Cheranmahadevi, on 19.02.2015, non-bailable warrant was issued against him and thereafter, he was arrested and remanded to judicial custody. He further submitted that the petitioner was not served with summons and due to that, he did not attend the Court on that day and he is in judicial custody from 14.05.2016 and prayed for enlarging 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 learned Judicial Magistrate, Cheranmahadevi, on 19.02.2015, non-bailable warrant has been issued against him and thereafter, he was secured on 14.05.2016 and the case has been pending before the learned Judicial Magistrate, Cheranmahadevi in PRC.No.19 of 2009.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 14.05.2016, this Court is inclined to release the petitioner on bail. Accordingly, the petitioner is ordered to be released on bail on his executing a bond in a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to the satisfaction of learned Judicial Magistrate, Cheranmahadevi, and on condition that the petitioner shall appear before the respondent Police daily at 10.00 am until further orders, except the date on which the trial will be conducted.

sd/-
19/09/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
SUTHAMALLI POLICE STATION, TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

+1. CC to M/S.V.ANGUSAMY Advocate SR.No.53390
TRP
CSL/AAL-MPA/SAR-WRIT/19.09.2016: 2P/7C

ORDER
IN
CRL OP(MD) No.16958 of 2016
Date :19/09/2016