



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

Thursday, the Third day of November Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.20914 of 2016

K.KALEESWARAN @ KALIYAPPAN

... PETITIONER/ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT,
CR.NO.118/2011

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.RAMANATHAN Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner / A1, who was arrested on 08.06.2016 for the offences punishable under Section 399 IPC in Crime No.118 of 2011 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 27.08.2011, the petitioner along with other accused making preparation to commit decoity.

3.The learned counsel for the petitioner would submit that the respondent filed charge sheet before the learned Judicial Magistrate, Thiruvadanai and the same was taken on file in P.R.C.No.6 of 2012. He further submitted the case was posted on 30.06.2015 and since the petitioner was not able to appear on that date, non bailable warrant was issued against the petitioner on the same day. He would further submit that the petitioner was arrested and remanded to judicial custody on 08.06.2016 and he is in judicial custody.

4.Heard the learned Government Advocate(Crl. Side) on the above submission.

5.Considering the facts and circumstances of the case and taking note of the fact that the petitioner is in judicial custody from 08.06.2016 onwards, this Court is inclined to grant bail to the petitioner. 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 Judicial Magistrate, Thiruvadanai;

(ii) the petitioner is directed to appear before the concerned Court daily at 10.30 a.m. until further orders;

(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].

(vi) The learned Judicial Magistrate, Thiruvadanai, is directed to complete the committal proceedings in P.R.C.No.6 of 2012 on day to day basis without adjourning the matter beyond 2 weeks at any point of time and complete the proceedings expeditiously and thereafter, the committal Court shall expedite the trial on day to day basis without adjourning the matter beyond 3 weeks at any point of time and complete the trial expeditiously.

sd/-

03/11/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVADANAI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE OFFICER INCHARGE, DISTRICT JAIL, RAMANATHAPURAM.
- 5 THE INSPECTOR OF POLICE, THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- +1. CC to M/S.K.RAMANATHAN Advocate SR.No.65248.

ORDER

IN

CRL OP(MD) No.20914 of 2016

Date : 03/11/2016