



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

Monday, the Twenty Eighth day of November Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22020 of 2016

WEB COPY

ESAKKIPANDI

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT.

(CRIME NO.301 OF 2014) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner / A4, who was arrested on 29.09.2016 for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 307 and 506(ii) IPC in Crime No.301 of 2014 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that after conducting investigation, the respondent Police filed charge sheet and the same was taken on file in P.R.C.No.65 of 2014 by the Judicial Magistrate No.I, Tirunelveli. Due to non appearance of the petitioner, non bailable warrant was issued against the petitioner and that the petitioner was arrested and remanded to judicial custody on 29.09.2016.

3.The learned counsel for the petitioner submitted that the petitioner will appear before the Court on all future hearings without fail.

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

5.Considering the facts and circumstances of the case, 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 (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.I, Tirunelveli;



(ii)the petitioner is directed to appear before the Court concerned in all future hearings;

(iii)the petitioner shall not tamper with the evidence or witness either during trial;

(iv)the petitioner shall not abscond either during 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]**.

6.The Judicial Magistrate No.I, Tirunelveli, is directed to complete the proceedings on day to day basis without adjourning the matter beyond 10 working days and on committal, the Committal Court shall take up the matter and proceed with the same, on day to day basis without adjourning the matter beyond 15 days and complete the proceedings expeditiously.

sd/-

28/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.1,
TIRUNELVELI.

2 -DO THROUGH-
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.

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

+1. CC to M/S.R.ALAGUMANI Advocate SR.No.73404

ORDER

IN

CRL OP(MD) No.22020 of 2016

Date :28/11/2016