

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Fourth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL ORIGINAL PETITION No.21135 of 2017

in S.C.NO.123 OF 2017

[ON THE FILE LEARNED SUBORDINATE JUDGE COURT, MANNARGUDI, THIRUVARUR
DISTRICT]

MANI @ MANIKANDAN

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
INSPECTOR OF POLICE,
NEEDAMANGALAM POLICE STATION,
THIRUVARUR DISTRICT.
CR.NO.78 OF 2017.

[RESPONDENT]

For Petitioner : M/S.SWAMI SUBRAMANIAN Advocate

For Respondent : MR. K.MADHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

This is the second bail petition and the earlier petition in Crl. O.P. No.18170/17 was dismissed by this Court on 4.9.17 on the ground that the committal proceedings were not completed. It is reported by the learned Government Advocate (Crl. Side) that the case in PRC No.7/2017 was committed to the Court of Sessions in S.C. No.123/17 and was made over to the Assistant Sessions Court-cum-Sub Judge, Mannargudi, where charges were framed on 12.10.2017.

2. Learned counsel for the petitioner brought to the notice of this Court that bail has been granted by this Court to the co-accused in Crl. O.P. No.15286/17.

3. In such view of the matter, this Court is inclined to grant bail to the petitioner. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, of whom, one should be a blood related surety, each for a like sum, to the satisfaction of the Sub Judge-cum-Additional Sessions Judge, Mannargudi, and on further condition that:

(a) the petitioner appear daily before the Sub Judge-cum-Additional Sessions Judge, Mannargudi, at 10.30 a.m. everyday until further orders.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate/Trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(c) the petitioner shall not tamper with 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]**.

(f) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

24/10/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 SUB JUDGE, CUM-ADDITIONAL
SESSIONS JUDGE, MANNARGUDI.

2 THE ASSISTANT SESSIONS COURT,
CUM- SUB JUDGE, MANNARGUDI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
NEEDAMANGALAM POLICE STATION,
THIRUVARUR DISTRICT.

+1 CC to M/S.SWAMI SUBRAMANIAN Advocate on payment of necessary
charges-Sr.19792

CRL OP.21135/2017

Date :24/10/2017

ths : 25.10.2017