



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

Wednesday, the Eighth day of February Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1394 of 2017

WEB COPY

MURUGAN

... PETITIONER/1st ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

VALLIYOOR POLICE STATION, TIRUNELVELI

DISTRICT(CRIME NO. 397 OF 2009) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.VENKATESH Advocate

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

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

ORDER : The Court Made the following order :-

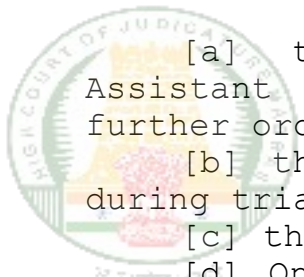
The petitioner, who was arrested and remanded to judicial custody on 30.12.2016, for the offences punishable under Sections 392 and 397 of IPC., in S.C.No.121 of 2013 on the file of the Assistant Sessions Judge, Valliyoor, in Crime No.397 of 2009, seeks bail.

2. The learned counsel appearing for the petitioner states that the petitioner has obtained bail in this matter already and NBW was issued for his absence on 13.12.2016 due to viral fever and he was arrested on 30.12.2016

3. The learned Government Advocate (crl.side) appearing for the respondent states that there are totally two accused in this case and the petitioner herein is A1 and against whom NBW has been issued on 13.12.2016 in S.C.No.121 of 2013 and arrested on 30.12.2016. He would further submit that A2 is appearing in the said case before the concerned Court. It is further stated that witness summons are issued and there is no progress in this case, since NBW against the petitioner is pending.

4. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner subject to certain conditions.

5. Accordingly, 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, each for a like sum to the satisfaction of the learned Assistant Sessions Judge, Valliyoor, and on further condition that:



[a] the petitioner shall report before learned learned Assistant Sessions Judge, Valliyoor, daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness during trial.

[c] the petitioner shall not abscond during trial.

[d] 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].

sd/-
08/02/2017

/ TRUE COPY /

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

TO

1.ASSISTANT SESESSIONS JUDGE
VALLIYOOR.

2.-DO THROUGH- PRINCIPAL
SESSIONS JUDGE, THIRUNEL VELI.

3.THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.

4.THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION, TIRUNELVELI DISTRICT.

5.ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No.6978

MPK/
MS/JS/SAR2/8.2.2017/2P.7C

ORDER
IN
CRL OP (MD) No.1394 of 2017
Date : 08/02/2017