



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

Tuesday, the Twenty First day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15900 of 2017

SENTHI KUMAR ALIAS KATTA MUNIYAN,

... PETITIONER / ACCUSED (SINGLE)

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
AMMAPETTAI POLICE STATION,
THANJAVUR DISTRICT,
CRIME NO. 91/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU Advocate

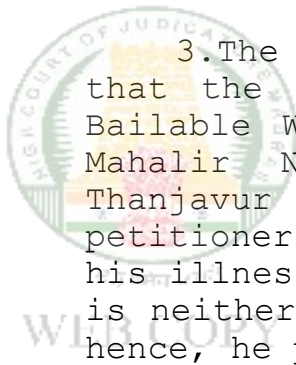
For Respondent : Mr.K.ANBARASAN Government Advocate (Crl. Side)

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 23.08.2017 in pursuance of non bailable warrant issued in S.C.No.45 of 2011 is pending for committal proceedings before the Sessions Court, Mahalir Neethimandram, (Fast Track Mahila Court), Thanjavur, for the offences punishable under Sections 294(b) and 302 of I.P.C. r/w. Section 4(A)(2)(1) of TNPWD Act, in Crime No.91 of 2015, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was implicated in Crime No.91 of 2015 for the offences under Sections 294(b) and 302 r/w. Section 4(A)(2)(1) of TNPWD Act, and the same is pending for the committal proceedings due to the absence of the petitioner before the Sessions Court, Mahalir Neethimandram, (Fast Track Mahila Court), Thanjavur, Thanjavur District. The Sessions Court, Mahalir Neethimandram, (Fast Track Mahila Court), Thanjavur, Thanjavur District had already been granted bail to the petitioner and subsequently, due to their illness, he was not able to appear before the Court on 14.06.2017 and thereby, the the Sessions Court, Mahalir Neethimandram, (Fast Track Mahila Court), Thanjavur, Thanjavur District, issued Non Bailable Warrant against the petitioner. Hence, the petitioner was arrested and remanded to the Judicial Custody on 23.08.2017.



3.The learned counsel appearing for the petitioner would submit that the lower Court counsel did not inform them about the Non Bailable Warrant which was issued by the learned Sessions Court, Mahalir Neethimandram, (Fast Track Mahila Court), Thanjavur, Thanjavur District against the petitioner, in the meanwhile, the petitioner was admitted in the hospital for taking treatment due to his illness. He also submitted that non appearance of the petitioner is neither willful nor wanton but in the bonafide circumstances and hence, he prayed for bail.

4.The learned Government Advocate (Criminal side) appearing for the State also fairly conceded that there is no previous case against the petitioner. He further submitted that it may be sufficient if this Court issue a direction to the petitioner to appear before the lower Court without fail.

5.Considering the facts and circumstances of the case, I am inclined to grant bail to the petitioner. The petitioner is ordered to be released on bail, subject to the following certain conditions:

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like-sum to the satisfaction of the Sessions Court, Mahalir Neethimandram, (Fast Track Mahila Court), Thanjavur, Thanjavur District;

(ii) the petitioner shall report before the Sessions Court, Mahalir Neethimandram, (Fast Track Mahila Court), Thanjavur, Thanjavur District, daily at 10.30 a.m. for a period of four weeks and thereafter, for each and every hearing;

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

(iv) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not commit any offence while on bail;

(vi) 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 and the bail granted stands cancelled automatically.

sd/-
21/11/2017

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



TO

1 THE SESSIONS COURT,
MAHALIR NEETHIMANTRAM, (FAST TRACH MAHILA COURT),
THANJAVUR DISTRICT.

2 THE INSPECTOR OF POLICE
AMMAPETTAI POLICE STATION,
THANJAVUR DISTRICT,

3. THE SUPERINDENT, CENTRAL PRISON, TRICHY.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.34780

ORDER

IN

CRL OP (MD) No.15900 of 2017

Date :21/11/2017

MV:PM-PN:SAR4:21/11/2017/3P/6