



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

Friday, the Twenty Second day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17171 of 2017

NAGAPPAN

... PETITIONER/ACCUSED No.4

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR,
In Crime No.2361/2007

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.N.RANJITH Advocate

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

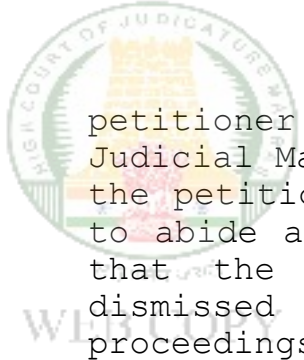
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Accused No.5, who was arrested and remanded to judicial custody on 04.09.2017 in pursuance of non-bailable warrant issued in P.R.C.No.23 of 2008 is pending for committal proceedings before the learned Judicial Magistrate No.I, Karur for the offences punishable under Sections 147, 148 read with 302 and 450 of I.P.C., in Crime No.2361 of 2007, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioner was implicated in Crime No. 2361 of 2007 for the offences under Sections 147, 148 read with 302 and 450 of I.P.C., in P.R.C.No.23 of 2008 and the same is pending for the committal proceedings due to the absence of the petitioner before the learned Magistrate No.I, Karur. This Court had already been granted bail to the petitioner on 04.01.2017 and subsequently, due to his illness, he is not able to appear before the Court on 02.05.2017 and thereby, the learned Judicial Magistrate No.I, Karur, issued Non Bailable Warrant against the petitioner. Hence, the petitioner was arrested and remanded to the Judicial Custody on 04.09.2017.

3.The learned counsel for the petitioner submitted that the petitioner was regularly appeared before the Court without fail. Subsequently, at the date of hearing, due to his illness, the



petitioner did not appear before the Trial Court. Hence, the learned Judicial Magistrate No.I, Karur, issued Non Bailable Warrant against the petitioners. He further submitted that the petitioner is ready to abide any condition imposed by this Court. It is further stated that the earlier bail petition filed by this petitioner was dismissed by this Court on the ground that the committal proceedings are pending before the Trial Court.

4. The learned Government Advocate (Crl.side) appearing for the State submitted that the committal proceedings are over in P.R.C.No.23 of 2008 on the file of the learned Judicial Magistrate No.I, Karur, and the case was posted for committal on 22.12.2017.

5. Considering the facts and circumstances of the case and considering the submission made by the learned Government Advocate (Crl.side) appearing for the State, I am inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

- (i) the second 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 learned Judicial Magistrate No.I, Karur;
- (ii) the petitioner shall report before the concerned Court, daily at 10.30 a.m., until further orders;
- (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/-

22/12/2017

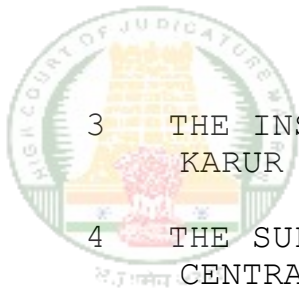
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO I
KARUR

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE



3

3 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION, KARUR,

4 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY

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

+1. CC to M/S.N.RANJITH Advocate SR.No.36880

ORDER
IN
CRL OP (MD) No.17171 of 2017
Date :22/12/2017

PJL
SH/RM/SAR-1:22.12.2017:3P/7C