



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

Wednesday, the Seventeenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.6099 of 2017

T.SURESH KUMAR

... PETITIONER/ ACCUSED NO.3

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
ANJUGRAMAMAM POLICE STATION,
NAGERCOIL,
KANYAKUMARI DISTRICT.
(CRIME NO.919 OF 2012)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.S.VAIGUNDH, Advocate

For Respondent : M/S.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner / accused, who was arrested on 11.08.2016 for the offences punishable under Sections 385, 395, 506(ii) IPC in Crime No.919 of 2012 pending in P.R.C.No.30 of 2014 on the file of the Judicial Magistrate No.III, Nagercoil, seeks bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent / Police.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the crime and he is an innocent person and he has been falsely implicated in this case. He also submitted that due to non appearance of the petitioner before the Trial Court, NBW was issued against and that he was arrested on 11.08.2016.

4.The learned Government Advocate(Crl. Side) submitted that the petitioner has committed serious offence and he opposed for granting bail to the petitioner.

5.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioner, 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 Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.III, Kanyakumari at Nagercoil;

(ii) the petitioner is directed to appear before the concerned Court daily at 10.30 a.m. until further orders;

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

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

sd/-

17/05/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III,
KANYAKUMARI AT NAGERCOIL.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.
3. THE OFFICER INCHARGE, SUB JAIL, NAGERCOIL.
4. THE INSPECTOR OF POLICE,
ANJUGRAMAMAM POLICE STATION,
NAGERCOIL, KANYAKUMARI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.S.VAIGUNDH, Advocate SR.No.22121

ORDER

IN

CRL OP(MD) No.6099 of 2017

Date :17/05/2017

MS/PN/SAR.3/18.05.2017/2P.7C