



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

Monday, the Third day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.8269 of 2017

SURESH

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE
ANJUGRAMAM POLICE STATION,
KANYAKUMARI DISTRICT
CRIME NO. 1315 OF 2011

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SIVAKUMAR Advocate

For Respondent : MR.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR

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

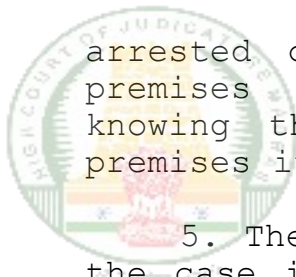
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.4, in S.C.No.23 of 2013, for the offences under Sections 120(b) and 302 of IPC on the file of the Court of Sessions, Kanyakumari District at Nagercoil, was arrested and remanded to judicial custody on 21.07.2016 and hence, seeks bail.

2. The learned counsel appearing for the petitioner states that there are totally four accused in this case and the petitioner herein is the A4. He further states that the case against the petitioner and other accused is pending before the Court of Sessions, Kanyakumari District at Nagercoil in S.C.No.23 of 2013.

3. The learned Additional Public Prosecutor appearing for the respondent states that the petitioner failed to appear before the concerned Court on 28.10.2014 and due to which, Non Bailable Warrant was issued against the petitioner on the date itself and he was arrested on 21.07.2016 and he is in judicial custody from that date onwards.

4. The learned counsel appearing for the petitioner states that the petitioner continuously appeared before the concerned Court on receipt of summons. He could not appear before the Court due to illness on 06.11.2014 and due to which, Non Bailable Warrant was issued against the petitioner on 06.11.2014. Thereafter, he was



arrested on 21.07.2016, while he was in corridor of the court premises for surrendering before the concerned Court, without knowing the continuous boycott of the Advocates, in the Court premises itself.

5. The learned Additional Public Prosecutor further states that the case is pending for framing charges and due to the absence of this petitioner before the concerned Court, the said case is without any progress.

6. Considering the facts and circumstances of the case and also the reasons assigned by the petitioner for his absence and the stage of the case and he is in judicial custody from 21.07.2016 onwards, this Court is inclined to grant bail to the petitioner with certain conditions. 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 Court of Sessions, Kanyakumari District at Nagercoil and on further condition that the petitioner shall appear before the concerned Court twice a day daily at 10.30 am and 5.30 pm until further orders. The petitioner should not ask or file any petition seeking relaxation of condition for two months.

sd/-

03/07/2017

/ TRUE COPY /

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

TRP
TO

- 1 THE SESSIONS JUDGE,
KANYAKUMARI DISTRICT AT NAGERCOIL
- 2 THE INSPECTOR OF POLICE
ANJUGRAMAM POLICE STATION,
KANYAKUMARI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, NAGERCOIL

+1. CC to M/S.S.SIVAKUMAR Advocate SR.No.25686

GJM/RR/BS/SAR-3-4.7.17-2P-6C

ORDER

IN

CRL OP(MD) No.8269 of 2017

Date :03/07/2017