



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

Wednesday, the Fourth day of April Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.4803 of 2018

J. SELWIN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
KALAKAD POLICE STATION,
TIRUNELVELI DISTRICT, IN CR.NO. 141/2008 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.ASHOK Advocate

For Respondent : M/S.PRABU RAMACHANDRAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as sole accused. He was arrested by the respondent police on 26.01.2018 based on the Non-Bailable Warrant issued by the learned Assistant Sessions Judge, Valliyoor and remanded to judicial custody. The case against him is for alleged offences punishable under Sections 294(b), 324, 307 and 506 (ii) IPC, in S.C.No.129 of 2009, on the file of the Assistant Sessions Court, Valliyoor. He seeks bail.

2.It appears that the petitioner never appeared before the Assistant Sessions Court, Valliyoor. On account of his abscondence, the trial could not be taken up even for more than 8 years. He was arrested on 26.01.2018 by the respondent police and he is presently in jail. During this period, the trial has progressed substantially. Now, the petitioner is aged 62 years.

3.The learned counsel appearing for the petitioner undertakes that he will not file any petition for relaxing the condition to be imposed by this Court in this petition till the conclusion of the trial.

4.Recording the abovesaid undertaking given by the learned counsel appearing for the petitioner, this Court is inclined to enlarge the petitioner on bail with certain conditions. 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 learned Judicial Magistrate, Valliyoor.



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(ii) The petitioner shall report before the respondent police daily twice i.e., at 09.00 a.m. and 6.00 p.m. till the conclusion of the trial.

(iii) The petitioner shall not abscond.

(iv) 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/-

04/04/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR. TIRUNELVELI DISTRICT.

2 DO THOUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

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

+1. CC to M/S.J.ASHOK, Advocate SR.No.5433.

ORDER

IN

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Date : 04/04/2018