



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.5192 of 2018

KANNAN

... PETITIONER / 3rd ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT,
IN CR.NO. 2 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.PON KARTHIKEYAN Advocate

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

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

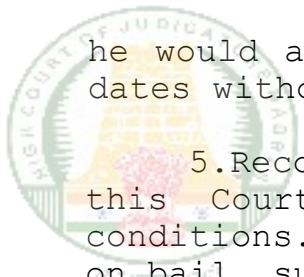
ORDER : The Court Made the following order :-

The petitioner is arrayed as Accused No.3. He was arrested by the respondent police on 21.02.2018 based on the Non-Bailable Warrant issued by the learned IV Additional Sessions Judge, Tirunelveli, and remanded to judicial custody. The case against him is for the offences punishable under Sections 120(b), 341, 294(b), 302 and 506(ii) r/w. Section 34 IPC, in S.C.No.502 of 2015 in Crime No.2 of 2015, on the file of the IV Additional Sessions Court, Tirunelveli. He seeks bail.

2.Heard both sides.

3.The petitioner is facing trial in S.C.No.502 of 2015 on the file of the IV Additional Sessions Court, Tirunelveli, as Accused No.3. On account of his abscondence on the day of questioning, Non-Bailable Warrant came to be issued against him and he was arrested on 21.02.2018.

4.Now, the petitioner undertakes before this Court through his counsel that he would appear before the respondent police daily twice i.e., at 9.00 a.m. and 6.00 p.m. until further orders and further undertakes that he would not apply for relaxation till the judgment is pronounced in the criminal case and also undertakes that



he would appear before the Criminal Court regularly on all hearing dates without fail.

5. Recording the abovesaid undertaking given by the petitioner, this Court is inclined to enlarge him on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

WEB COPY

- (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.
- (ii) The petitioner shall appear before the respondent police daily at 9.00 a.m. and 6.00 p.m. until further orders.
- (iii) The petitioner shall appear before the learned IV Additional Sessions Judge, Tirunelveli, regularly in all the future hearings without fail.
- (iv) The petitioner shall not abscond.
- (v) 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/-

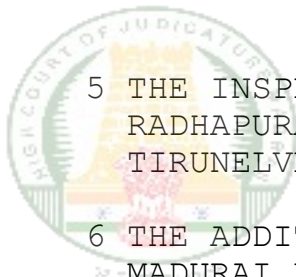
04/04/2018

/ 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 THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE IV ADDITIONAL SESSIONS JUDGE,
TIRUNELVELI.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYANKOTTAI,
TIRUNELVELI DISTRICT.



5 THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

WEB COPY

+1. CC to M/S.R.PON KARTHIKEYAN Advocate SR.No.5329.

ORDER
IN
CRL OP(MD) No.5192 of 2018
Date :04/04/2018

SDS/CM:VR/SAR.4/04.04.2018/3P/8C