



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

Friday, the Sixth day of April Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.5339 of 2018

JAYAPPAUL

... PETITIONER / ACCUSED NO.3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION, KANYAKUMARI
(CRIME NO. 492 OF 2012)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.F.DEEPAK Advocate

For Respondent : MR.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 figuring as third accused in S.C.No.25 of 2013 on the file of the Sessions Court, Kanniyakumari District, Nagercoil. He was absent on 22.06.2015 and no petition for condoning his absence was filed. Therefore, Non-Bailable Warrant came to be issued. The petitioner was arrested pursuant to the said Non-Bailable Warrant. He is in custody since 05.02.2018. He seeks bail.

2.The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

3.If the petitioner fails to appear before the Court below for future hearings, it is for him to file appropriate petition under Section 317 Cr.P.C. Even if on one hearing, he is absent and no application is filed for condoning his absence, this order granting bail shall stand cancelled.

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:



with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Kanniyakumari District at Nagercoil.

(ii) The petitioner shall appear before the concerned Court regularly in all future hearings without fail.

(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/-
06/04/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.F.DEEPAK Advocate SR.No.5575

ORDER
IN
CRL OP(MD) No.5339 of 2018
Date :06/04/2018

MKV-CM-VR-SAR 4/6.4.2018/2P-6C