



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

Wednesday, the Eleventh day of April Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.5605 of 2018

THAVAKUMAR

... PETITIONER/ACCUSED No.4

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
SWAMIMALAI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.136 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.R.PONNUTHAI, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

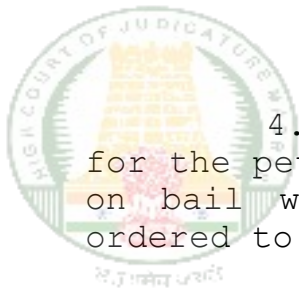
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is facing trial in C.C. No.24 of 2017 on the file of the learned Additional District Judge Cum Special Judge under E.C. Act, Tanjore for the offences under Sections 22 (C) of Narcotic Drugs and Psychotropic Substance Act, 1985 and Section 25 (1)(a) of Arms Act 1959. The petitioner was granted bail in this Court. On account of violation of the condition imposed him and his absence on hearing dates, non-bailable warrant was issued against this petitioner and the petitioner was arrested on 18.01.2018.

2. The learned counsel appearing for the petitioner undertakes that on all future hearings, the petitioner would attend the Court and if he is not in a position to attend the Court, application under Section 317 Cr.P.C. Would be failed. If this undertaking is breached this bail will stand automatically cancelled.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.



4. Recording the undertaking given by the learned counsel 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 Additional District Judge/Special Judge under E.C.Act, Tanjore.

(ii) the petitioner shall appear before the lower Court on all future hearing dates.

(iii) 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]**.

11/04/2018

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT JUDGE/
SPECIAL JUDGE UNDER E.C.ACT.,
TANJORE.
 - 2 THE INSPECTOR OF POLICE,
SWAMIMALAI POLICE STATION, THANJAVUR DISTRICT.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.R. PONNUTHAI Advocate SR.No.5947

ORDER
IN
CRL OP(MD) No.5605 of 2018
Date :11/04/2018

PK/CM-VR/GSR/11.04.2018 : 2P/6C