



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

Friday, the Twenty Seventh day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.6979 of 2018

ELUMALAI

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SAMAYAPURAM POLICE STATION,
TRICHY DISTRICT.
IN CR NO. 35 OF 2007

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.SIVACHANDRAN Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

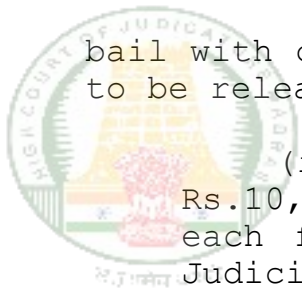
The petitioner is arrayed as sole accused. He was arrested and remanded to judicial custody on 13.02.2018 for the offences punishable under Section 304(A) I.P.C., in Crime No.35 of 2007 on the file of the respondent police. He seeks bail.

2. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person he has not committed any offence as alleged by the prosecution and prays for bail in favour of the petitioner.

3.The petitioner is facing trial in C.C.No.427 of 2007 on the file of the Judicial Magistrate No.III Court, Thiruchirappalli. On account of his nonappearance, Non Bailable Warrant came to be issued and he was arrested and he is in judicial custody on 13.02.2018.

4. Learned counsel for the petitioner undertakes that the petitioner will appear regularly on all future hearing dates and if he is unable to appear, he will file proper application under Section 317 of Cr.P.C. He further submitted that if this condition is breached, this Order would stand cancelled automatically.

5.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 Judicial Magistrate No.III, Thiruchirappalli.

WEB COPY

(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(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].

sd/-

27/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, THIRUCHIRAPPALLI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THIRUCHIRAPPALLI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE
SAMAYAPURAM POLICE STATION, TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.SIVACHANDRAN Advocate SR.No.7524

ORDER

IN

CRL OP(MD) No.6979 of 2018

Date :27/04/2018

MKV-VR-VK/27.4.2018/2P-7C

<https://hcservices.ecourts.gov.in/hcservices/>