



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

Thursday, the Twenty Second day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.18822 of 2018

RAJA @ ILAYARAJA

... PETITIONER / ACCUSED A6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THANJAVUR TAMIL UNIVERSITY POLICE STATION.
IN CRIME NO.16 OF 2010

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.PRABAHARAN Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 28.09.2018 for the offences punishable under Section 395 I.P.C, in Crime No.16 of 2010, on the file of the respondent police, seeks bail.

2. The petitioner herein is arrayed as A-6 in this case. As per the case of the prosecution the alleged occurrence is set to have been taken on place on 17.01.2010.

3.The learned counsel for the petitioner would submit that the petitioner was not arrested in the above case and he was produced by P.T Warrant and shown accused in this case, on 28.09.2018, the V Additional District Judge, Madurai. The case is pending from the year 2010 and the P.T.Warrant is pending against the petitioner.

3. The learned Additional Public Prosecutor would submit that the petitioner is having six previous cases. He got anticipatory bail and he is in confinement with regard to the P.T.Warrant.

4. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, and the petitioner had already granted anticipatory bail, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing 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.I, Thanjavur and on further condition that:

[a] the petitioner shall report before the learned Judicial Magistrate No.I, Thanjavur, on all hearing dates.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

22/11/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, THANJAVUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE SUPERINTENDENT,CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,
THANJAVUR TAMIL UNIVERSITY POLICE STATION.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.C.PRABAHARAN Advocate SR.No.21865

ORDER

IN

CRL OP(MD) No.18822 of 2018

Date :22/11/2018

MS/VR-MMS/SAR-1/22.11.2018/2P.7C