



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

Thursday, the Fifth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.11234 of 2018

SELVAM @ SELVARAJ

... PETITIONER / 1ST ACCUSED

Vs

THE STATE REPRESENTED BY  
THE INSPECTOR OF POLICE,  
OOMATCHIKULAM POLICE STATION,  
MADURAI DISTRICT.  
(IN CR NO. 1094 OF 2009).

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.POORNA CHANDRAN Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 22.05.2018 for the offences punishable under Sections 341, 457 and 307 of I.P.C. in Crime No.1094 of 2009 on the file of the respondent police. He seeks bail.

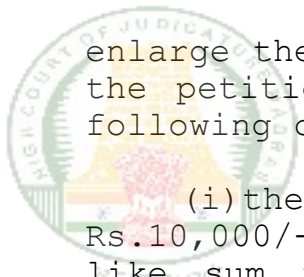
2.Heard the learned Government Advocate (Crl.Side) appearing for the respondent.

3.The petitioner is facing trial in S.C.No.18 of 2018 on the file of the Principal Sessions Court, Madurai. The petitioner had absconded. Therefore, NBW came to be issued and he was secured pursuant to the arrest.

4.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.

5.If the petitioner fails to appear before the Court below for future hearings, he is entitled 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.

6.Recording the above said 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;

(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 Principal Sessions Judge, Madurai.

(ii) The petitioner shall not abscond.

(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/-  
05/07/2018

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SESSIONS JUDGE,  
MADURAI.
- 2 THE SUPERINTENDENT,  
CENTRAL PRISON,  
MADURAI.
- 3 THE INSPECTOR OF POLICE,  
OOMATCHIKULAM POLICE STATION,  
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.S.POORNA CHANDRAN Advocate SR.No.12230.

ORDER  
IN  
CRL OP(MD) No.11234 of 2018  
Date :05/07/2018