



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

Wednesday, the Fourth day of July Two Thousand Eighteen
PRESENT

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

CRL OP(MD) No.11031 of 2018

WEB COPY

SENTHILKUMAR

... PETITIONER / SOLE ACCUSED

Vs.

THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.219 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.R.A.RAMACHANDHRAN, 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 21.08.2017 for the offences punishable under Sections 294(b), 506(ii) I.P.C and Section 3 of TNPPDL Act, in Crime No.219 of 2015 on the file of the respondent police. He seeks bail.

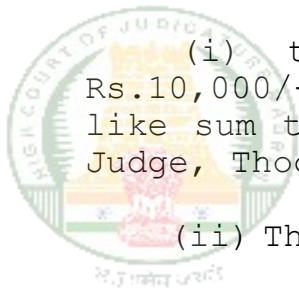
2.The petitioner is facing trial in S.C.No.134 of 2016 on the file of the II Additional Sessions Judge, Thoothukudi. The petitioner was not present during the trial. Therefore, NBW came to be issued and he was secured pursuant to the arrest.

3.The learned Government Advocate (Crl.Side) for the respondent pointed out that it is the third instance, the Non Bailable Warrant has been issued against the petitioner.

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 on one occasion, this order would stand cancelled automatically.

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 II Additional Sessions Judge, Thoothukudi.

(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/-

04/07/2018

/ TRUE COPY /

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

TO

- 1.The Chief Judicial Magistrate,
Thoothukudi.
- 2.The II Additional Sessions Judge,
Thoothukudi.
- 3.The Superintendent,
Central Prison,
Perayurani,
Thoothukudi.
- 4.The Inspector Of Police,
Kayathar Police Station,
Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.

+1CC to Mr.S.R.A.Ramachandran
Advocate in SR.No.12138

SDS/MMS/RNB :04.07.2018: 2P/7C

ORDER IN
CRL OP(MD) No.11031 of 2018
04/07/2018