



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

Monday, the Twenty Ninth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.19209 of 2018

SAKTHIVEL @ KUMAR

... PETITIONER / ACCUSED NO.2

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VAIYAMPATTI POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.304 of 2014)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.SURESH Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 01.09.2018 for the offences punishable under Sections 392 read with 397 I.P.C, in Crime No.304 of 2014 on the file of the respondent police. He seeks bail.

2.Due to non-appearance of the petitioner, Non Bailable Warrant issued by the learned Principal Sessions Court, Trichirappalli on 02.04.2018. Due to that, the petitioner was arrested and remanded to judicial custody on 01.09.2018.

3.The learned counsel for the petitioner would submit that the petitioner is an accused no.2 in S.C.No.36 of 2018 pending on the file of the learned Principal Sessions Court, Trichy. On 02.04.2018, he was unable to attend the court due to earning purpose, he went to other place. Therefore, he was not able to attend the Court proceedings on 02.04.2018. He would further submit that he is in incarceration from 01.09.2018 onwards. The learned counsel undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates, without fail. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner was not appeared before the Court on 02.04.2018. Subsequently, the warrant was executed on 01.09.2018.

5. Taking note of the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. 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, Trichy.

(ii) the petitioner shall appear before the trial Court daily at 10.30 a.m until further orders.

sd/-
29/10/2018

/ TRUE COPY /

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

TO

1 THE PRINCIPAL SESSIONS JUDGE,
TRICHY.

2 THE INSPECTOR OF POLICE,
VAIYAMPATTI POLICE STATION, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,

+1. CC to M/S.M.SURESH Advocate SR.No. 20548

ORDER
IN
CRL OP(MD) No.19209 of 2018
Date :29/10/2018

JM/PN/SAR 1/29.10.2018/2P/6C