



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

Tuesday, the Tenth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.11344 of 2018

MARUTHU @ MARUTHUPANDI

... PETITIONER / ACCUSED No.6

Vs

THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
CHERANMAHADEVI,
TIRUNELVELI DISTRICT
CR NO. 83 OF 2014.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.N.PRAGALATHAN Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

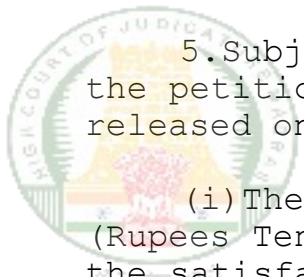
ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 02.02.2018 for the offences punishable under Sections 457, 380, 395 and 397 I.P.C r/w Section 3 of Tamil Nadu Property (Prevention of Damage and Loss) Act, in Crime No.83 of 2014, on the file of the respondent police. He seeks bail.

2.The petitioner is shown as Accused No.6 in P.R.C.No.36 of 2015 on the file of the learned Judicial Magistrate Court, Cheranmahadevi, Tirunelveli District.

3.The learned Government Advocate (Crl.Side) for the respondent pointed out that the petitioner is having three previous cases to his credit.

4.It is seen that the Non Bailable Warrant was issued on 14.02.2017 and that the petitioner surrendered on 02.02.2018. He was just absconding for a period of one year. Since he has voluntarily surrendered, this Court is inclined to view the matter indulgently. Therefore, bail is granted subject to the condition that the petitioner shall appear before the respondent police daily morning at 10.30 a.m. The petitioner shall not ask for relaxation of this condition till the committal proceedings are over.



5. Subject to this condition, this Court is inclined to enlarge the petitioner on bail. Accordingly, the petitioner is ordered to be released on bail 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, Cheranmahadevi, Tirunelveli District.

(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/-
10/07/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI,
TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.N.PRAGALATHAN Advocate SR.No.12554.

ORDER
IN
CRL OP(MD) No.11344 of 2018
Date :10/07/2018