



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

Wednesday, the Twenty Fifth day of July Two Thousand Eighteen
PRESENT

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

CRL OP(MD) No.12794 of 2018

WEB COPY

B.PANDITHURAI

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE,
SELLER POLICE STATION,
MADURAI.

Crime No.1068 of 2015

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.GURURAJ Advocate

For Respondent : Mr.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 :-

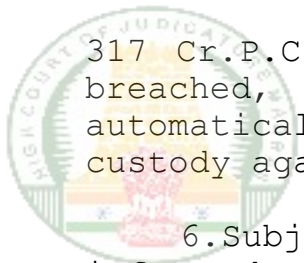
The petitioner is arrayed as sole accused. He was arrested and remanded to judicial custody on 03.07.2018 for the offences punishable under Sections 392 r/w 397, 506(ii) of IPC, in Crime No.1068 of 2015, on the file of the respondent police. He seeks bail.

2.The petitioner is facing trial in S.C.No.387 of 2018 on the file of the Sessions Court, Madurai. Since the petitioner was absent on one hearing date Non Bailable Warrant came to be issued.

3.The learned counsel Government Advocate (Crl. Side) opposed the grant of bail by submitting that there are as many as 10 cases pending against the petitioner. Out of them 3 are murder cases.

4.The learned counsel for the petitioner submits that the petitioner's wife passed away, hence, he was unable to attend the hearing on that day. The petitioner's daughter is 8 years old and no one is there to take care of her. It is further submitted that the petitioner has been granted bail in all other cases and that he has also regularly attend the hearings.

5.The learned counsel for the petitioner undertakes on instructions of the petitioner that the petitioner will appear regularly before the trial Court on all future hearings. 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. for condonation of his absence. If the condition is breached, this order granting bail shall stand cancelled automatically and the petitioner shall be remanded to judicial custody again.

6. Subject to the above condition and also the conditions stated infra, the petitioner is ordered to be released on bail.

(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 No.II, Madurai.

(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(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/-
25/07/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO II, MADURAI.

2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
SELLER POLICE STATION, MADURAI.

4. THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.

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

+1. CC to Mr.M.GURURAJ Advocate SR.No.14096

ORDER
IN
CRL OP(MD) No.12794 of 2018
Date : 25/07/2018

TK/VR/ASVM/26.07.2018/2P-7C