



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

Wednesday, the First day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13458 of 2018

G.MURUGAN

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY.
CRIME NO.57/2009

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.WILLIAM CHRISTOPHER, 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 in judicial custody since 11.01.2018 following issuance of non-bailable warrant for the offence punishable under Section 392 IPC in Crime No.57 of 2018, on the file of the respondent police. He seeks bail.

2.This case is pending from the year 2009. The petitioner had appeared before the concerned Court. Thereafter, the matter was transferred to another Court. By then, the petitioner herein was already in jail.

3.This Court is of the considered view that the petitioner had not deliberately absconded. Hence, notwithstanding the strong opposition of the learned Government Advocate (Crl.Side) citing the long catalogue of cases, in which the petitioner is implicated, 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 Judicial Magistrate No.VI, Madurai;

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



(iii)the petitioner shall not abscond; and

(iv)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/-

01/08/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.VI, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION, MADURAI CITY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.J.WILLIAM CHRISTOPHER Advocate SR.No.14653

ORDER

IN

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Date :01/08/2018

MS/PN/SAR-1/01.08.2018/2P.7C