



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

Wednesday, the Twenty Ninth day of August Two Thousand Eighteen

PRESENT

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

WEB COPY

CRL OP(MD) No.14420 of 2018

VIJAY AROKIYADOSS

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
TALUK POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.469 OF 2015

... RESPONDENT / COMPLAINANT

S.RAJENDRAN ... PETITIONER/ INTERVENOR/
(AS PER ORDER DT.29.08.2018 IN DE-FACTO COMPLAINANT
CRL MP(MD)NO.6730/2018 IN CRL OP(MD)NO.14420/2018)

For Petitioner : Mr.K.M.KARUNAKARAN, Advocate

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

For Intervenor : Mr.B.SENTHIL KUMAR, Advocate

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

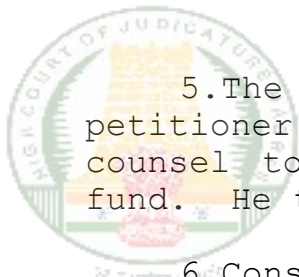
ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 12.01.2017 for the offences punishable under Sections 499, 380, 302 of IPC, in Crime No.469 of 2015 on the file of the respondent police. He seeks bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3.The case of the prosecution is that the petitioner was arrested and released on bail in Crime No.469 of 2015 on the file of the respondent police. Thereafter, the learned Fast Track Mahila Court, Thanjavur, have took cognizance in SC.No.17 of 2017. The petitioner was absent on 22.06.2016 and hence non bailable warrant was issued. On execution of non bailable warrant, the petitioner was arrested and remanded to judicial custody on 12.01.2017.

4.The learned Additional Public Prosecutor submitted that if the petitioner is released on bail, he will again abscond and the trial proceedings will be stalled. Since, already prosecution has examined P.Ws.1 to 15 and remaining 3 witnesses are pending for cross examination to complete the trial. The petitioner is not having any previous case.



5.The learned counsel for the petitioner would submit that the petitioner was arrested on 12.01.2017. He was not able to engage a counsel to conduct the trial, since he was not able to mobilise fund. He therefore prayed for grant of bail.

6.Considering the above facts and circumstances 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 Mahalir Neethimandram (Fast Track Mahila Court), Thanjavur.

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

sd/-
29/08/2018

/ TRUE COPY /

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

TO

1. THE JUDGE,
MAHALIR NEETHIMANDRAM (FAST TRACK MAHILA COURT),
THANJAVUR.

2. THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.

3. THE INSPECTOR OF POLICE,
TALUK POLICE STATION, THANJAVUR DISTRICT.

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

+1. CC to Mr.K.M.KARUNAKARAN Advocate SR.No.16377
+1CC TO Mr.B.SENTHIL KUMAR, Advocate, SR No.16384

ORDER
IN
CRL OP(MD) No.14420 of 2018
Date :29/08/2018

MS/PN/SAR-1/29.08.2018/2P.7C