



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

Thursday, the First day of November Two Thousand and Eighteen

PRESENT

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

CRL OP(MD) No.19717 of 2018

JAHIR HUSSIAN @ BABU

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
CSCID POLICE STATION,
THANJAVUR DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.G.KARNAN, 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 12.09.2018 for the offences punishable under Sections 294(b), 353, 307 I.P.C and Section 6(4) TNSC (RDCS) order 1982 read with 7(1)a(ii) E.C.Act, 1955, in S.C.No.280 of 2013 (Crime No.227 of 2012) pending on the file of the learned Additional District and Sessions Judge, Thanjavur (Special Judge, EC Act Cases). He seeks bail.

2.The petitioner was absent during the trial in S.C.No.280 of 2013 pending on the file of the learned Additional District and Sessions Judge, Thanjavur (Special Judge, EC Act Cases). Thereby, Non Bailable Warrant came to be issued. Pursuant to the same, the petitioner was arrested and remanded to judicial custody on 12.09.2018.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent. The petitioner was not able to appear before the trial Court on 15.05.2018, since the hearing date was not properly communicated by the counsel. 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. Heard the the learned Additional Public Prosecutor appearing for the respondent.

5. Considering 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 Additional District and Sessions Judge, Thanjavur (Special Judge, EC Act Cases).

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

sd/-
01/11/2018

/ TRUE COPY /

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

TO

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
THANJAVUR. (SPECIAL JUDGE, EC ACT CASES)

2. THE OFFICER INCHARGE,
DISTRICT PRISON,
TRICHY.

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

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

+1. CC to Mr.G.KARNAN Advocate SR.No.20876.

ORDER
IN
CRL OP(MD) No.19717 of 2018
Date : 01/11/2018

PS/VR MMS/SAR 1/01.11.2018/2P/6C