



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

Thursday, the Twenty Second day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20699 of 2018

SAKTHI @ SAKTHIVEL

... PETITIONER / ACCUSED NO.14

Vs

STATE REP. BY  
THE INSPECTOR OF POLICE,  
AYAKUDI POLICE STATION,  
DINDIGUL DISTRICT.  
CRIME NO.1 OF 2001

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : MR.M.ASOKAN, Government Advocate (Crl.Side)

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

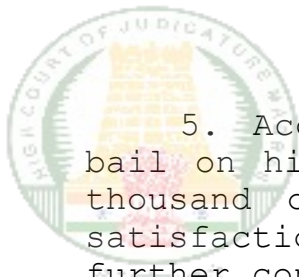
ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 13.10.2018 for the offences punishable under Sections 147, 148, 341, 307, 397 IPC, r/w 3 (1), 4 & 5 of TNPPDL Act, in Crime No.1 of 2001, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that petitioner is arrayed as A-14 in this case. The petitioner got anticipatory bail by the concerned Magistrate and the learned Magistrate directed the petitioner to comply with the condition. For complying the same, he has appeared before the lower court. Thereafter, he failed to appear before the lower court hence, Non Bailable Warrant issued against him on 13.05.2018. On execution of the Non Bailable Warrant, he was arrested on 13.10.2018.

3. The learned Government Advocate (Criminal Side) would submit that the case was registered in the year 2001, after investigation, charge sheet filed and the case is pending at the stage of PRC. The case was posted for next hearing on 26.12.2018.

4. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, and the petitioner had already granted anticipatory bail, this Court is inclined to grant bail to the petitioner.



5. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Palani and on further condition that:

[a] the petitioner shall report before the learned Judicial Magistrate, Palani, daily at 10.30.am., untill further order.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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 learned 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

22/11/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,  
PALANI.

2 DO THROUGH THE CHIEF  
JUDICIAL MAGISTRATE, DINDIGUL.

3 THE INSPECTOR OF POLICE,  
AYAKUDI POLICE STATION, DINDIGUL DISTRICT.

4 THE OFFICER INCHARGE,  
SUB JAIL, PALANI.

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

+1. CC to M/S.T.A.EBENEZER Advocate SR.No. 21892

ORDER

IN

CRL OP(MD) No.20699 of 2018

Date :22/11/2018