



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

Thursday, the Thirtieth day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.15380 of 2018

R.RAJA ROSILIN @ KAMBAN

... PETITIONER / 2ND ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.
Crime No.155/2009

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.RAJESHWARAN Advocate

For Respondent : Mr.A.P.G.OHM CHARIMA PRABHU
Govt. Advocate (Crl. Side)

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

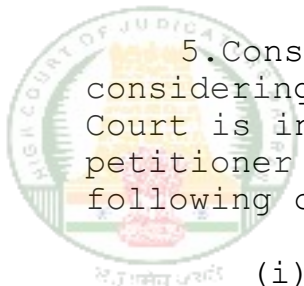
ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 11.04.2017 for the offences punishable under Sections 302 r/w 34 of IPC in Crime No.155 of 2009 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 is arraigned as A2 in Crime No.155 of 2009 and he was already arrested and granted bail in PRC No.34 of 2009 before the District Munsif Cum Judicial Magistrate, Eraniel, Kanyakumari District. On 12.08.2016, the petitioner was absent and a non bailable warrant has been issued against the petitioner. On execution of non bailable warrant, he was arrested on 11.04.2017. The case is pending before the learned Judicial Magistrate in the committal stage itself. A3 in this case is still absconding.

4.The learned counsel for the petitioner on instructions of the petitioner undertakes that the petitioner would appear before the learned District Munsif Cum Judicial Magistrate, Eraniel, Kanyakumari District, regularly in all future hearing. Since, the A3 in this case is still absconding, the case is pending in the committal stage.



5.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 District Munsif cum Judicial Magistrate, Eraniel, Kanyakumari District.

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

sd/-
30/08/2018

/ TRUE COPY /

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

TO

- 1.THE DISTRICT CUM JUDICIAL MAGISTRATE,
ERANIEL, KANAYAKUMARI DISTRICT
 - 2.THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.
 - 3.THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.
 - 4.THE OFFICER INCHARGE,
DISTRICT JAIL, NAGERCOIL, KANYAKUMARI DISTRICT.
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.K.RAJESHWARAN Advocate SR.No.16557

ORDER
IN
CRL OP(MD) No.15380 of 2018
Date :30/08/2018

TK/PN/SAR.2/30.08.2018/2P-7C