



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

Friday, the Thirty First day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.15549 of 2018

ASEER NESA RAJ

... PETITIONER/ SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
COLACHEL POLICE STATION,
KANYAKUMARI DISTRICT
Crime No.450 of 2015

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.P.NARAYANAKUMAR 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 :-

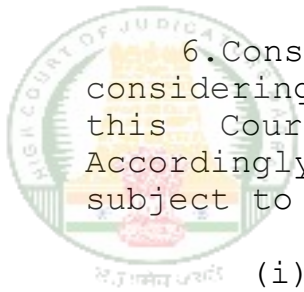
The petitioner is in judicial custody since 06.01.2018 for the offences punishable under Sections 294(b) and 506 (ii) I.P.C. and Section 3(1) of TNPPDL Act in Crime No.450 of 2015 on the file of the respondent Police. He seeks bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3.The case of the prosecution is that on 05.12.2015 at about 06.30 a.m., the accused person damaged the plantain tree owned by the de facto complainant and also caused damages to the tune of Rs.3000/-.

4.The learned Government Advocate (Crl. side) appearing for the respondent would submit that the petitioner is a reported rowdy and he is also having 24 previous cases to his credit. Therefore, he opposes the grant of bail to the petitioner.

5.It is seen that the petitioner was arrested and remanded to judicial custody on 06.01.2018 and in the present case, a charge sheet has also been laid and the same was taken cognizance by the learned Sessions Judge, Kanyakumari, Nagercoil District, in S.C.No.90 of 2018.



6.Considering the above facts and circumstances and also considering the period of incarceration undergone by 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 blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Eraniel.

(ii)the petitioner shall appear before the learned Judicial Magistrate, Eraniel, daily at 10.30 a.m. until further orders;

sd/-
31/08/2018

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, ERANIEL.
 - 2.THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
 - 3.THE INSPECTOR OF POLICE
COLACHEL POLICE STATION,
KANYAKUMARI DISTRICT
 - 4.THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH Court, MADURAI.
- +1. CC to Mr.K.P.NARAYANAKUMAR Advocate SR.No.16627

ORDER
IN
CRL OP (MD) No.15549 of 2018
Date :31/08/2018

TK/PN/SAR.4/31.08.2018/2P-7C