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

Wednesday, the Twenty Sixth day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.17205 of 2018

SILUVAI KITHERIAN ... PETITIONER / ACCUSED NO.4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
UVARI POLICE STATION,
TIRUNELVELI DISTRICT.
(S.C. NO.524 OF 2015) ... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.MAHARAJA 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 02.08.2018 for the offence punishable under Sections 147, 148, 341, 307 of IPC and Sections 3(a) and 5(a) of Explosive Substance Act 1908, in Crime No.58 of 2015 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 29.07.2003 at about 11.30 a.m the petitioner and other accused thrown a country bomb on the de-facto complainant and abused him with filthy language, hence the case was registered in the year 2003 and the same was taken as Preliminarily Registered a case in the year 2015 and the petitioner has regularly appeared before the trial Court for the past several years. Due to non appearance of the petitioner during the trial, NBW came to be issued on 23.11.2017 and he was remanded to judicial custody.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent. Due to his ill-health, he was not able to appear before the trial Court. He further submitted that the petitioner is in incarceration from 02.08.2018 onwards. Hence, he prays for grant of bail to the petitioner.

4.Heard the learned Additional Public Prosecutor appearing for the respondent.

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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 Assistant Sessions Judge, Valliyur, Tirunelveli District.

(ii)the petitioner shall appear before the trial Court daily at 10.30 a.m and 5.30 p.m until further orders.

sd/-
26/09/2018

/ TRUE COPY /

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

TO

1. THE ASSISTANT SESSIONS JUDGE,
   VALLIYUR, TIRUNELVELI DISTRICT.

2. THE SUPERINTENDENT,CENTRAL PRISON,
   PALAYMKOTTAI.

3. THE INSPECTOR OF POLICE,
   UVARI POLICE STATION, TIRUNELVELI DISTRICT.

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

+1. CC to Mr.M.MAHARAJA Advocate SR.No.18297

ORDER
IN
CRL OP(MD) No.17205 of 2018
Date :26/09/2018

MS/VR-MMS/SAR-4/26.09.2018/2P.6C

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