



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

Wednesday, the Tenth day of October Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.17424 of 2018

KARIKALAN

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.159/2008

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.S.JEYAKARTHIK 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 :-

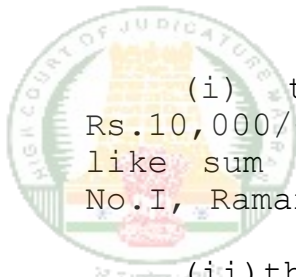
The petitioner is in judicial custody since 23.08.2018, for the offences punishable under Section 397 r/w 397 of IPC and Section 34 of IPC, in Crime No.159 of 2018 on the file of the respondent police. He seeks bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3.The case of the prosecution is that on the date of occurrence the accused persons attacked the defacto complainant and trying to committing dacoity. Thereafter, he was arrested and released on bail. Thereafter, the charge sheet has been filed and the same has been taken on file in P.R.C.No.2 of 2010 before the learned Judicial Magistrate No.I, Ramanathapuram. On 19.06.2013, the petitioner did not appear before the trial Court. Hence, Non Bailable Warrant has been issued and the petitioner was arrested on 23.08.2018.

4.The learned counsel counsel for the petitioner submits that the absence is neither willful nor wanton.

5.Considering the facts and circumstances of the case and the period of incarceration, this Court 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 Judicial Magistrate No.I, Ramanathapuram.

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

sd/-

10/10/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, COIMBATORE.
4. THE INSPECTOR OF POLICE,
DEVIPATTINAM POLICE STATION, RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.M.S.JEYAKARTHIK Advocate SR.No. 19380

ORDER

IN

CRL OP(MD) No.17424 of 2018

Date :10/10/2018

MS/PN/SAR-1/10.10.2018/2P.7C