



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

Friday, the Twenty Eighth day of September Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) No.17439 of 2018

KUMAR ALIAS KOMPAN KUMAR

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PANAVALALICHATHIRAM POLICE STATION,
TIRUNELVELI DISTRICT,
(CR NO. 146/2010)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : M/S.M.ANANTHA DEVI, 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 12.09.2018 for the offences punishable under Sections 294(b), 323, 506(ii) and 427 IPC and Section 307 IPC in Crime No.146 of 2010 on the file of the respondent police. He seeks bail.

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

3.The case of the prosecution is that the accused person was intercepted the bus and cars on the road. When the same was questioned by the defacto complainant, the accused abused the defacto complainant with filthy language and tried to attack him and caused severe life threat. Hence, the complaint. Pursuant to the complaint, FIR was registered against the petitioner. Consequently, he was arrested and remanded into judicial custody. Thereafter, charge sheet was also laid and the same was committed and taken on file in S.C.No.513 of 2016 on the file of the learned Subordinate Judge, Sankarankovil. During the hearing of the above said case, on 19.06.2017, the accused was absent. Hence, NBW was issued against him. Thereafter, he was arrested and remanded into judicial custody on 16.04.2018. Hence this petition.



4.The learned counsel for the petitioner would submit that the petitioner is innocent and he is ready to co-operate with the trial proceedings. Hence, he prays for grant of bail to the petitioner.

5.The learned Government Advocate (Crl. Side) for the respondent submitted that since the petitioner has not appeared on the hearing date i.e., on 19.06.2017, NBW was issued against him. Thereafter, the petitioner was arrested on 16.04.2018.

6.Considering the facts and circumstances of this case 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 Subordinate Court, Sankarankovil.

(ii)the petitioner shall appear before the learned Subordinate Judge, Sankarankovil daily at 10.30 a.m., until further orders;

sd/-
28/09/2018

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

TO

- 1 THE SUBORDINATE COURT,
SANKARANKOVIL.
- 2 THE INSPECTOR OF POLICE,
PANAVALICHATHIRAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUNELVELI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.18585

ORDER
IN
CRL OP(MD) No.17439 of 2018
Date :28/09/2018