



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

Tuesday, the Twentieth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.18185 of 2018

P.KESAVAN

... PETITIONER/ SOLE ACCUSED

Vs

THE STATE REP. BY
INSPECTOR OF POLICE
JAIHINDPURAM POLICE STATION,
JAIHINDPURAM,
MADURAI DISTRICT.
(CRIME NO.407/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.J.SANKARA PANDIAN Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who was arrested by the respondent police on 13.06.2018, for the offences punishable under Sections 392 r/w 397 and 506(ii) of IPC., in Crime No.407 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had committed robbery of Rs.700/- from the defacto complainant at knife point and further threatened with dire consequences. It is also submitted that investigation in the above case is completed and charge-sheet has been filed in PRC.No.105/2018 and subsequently, the case has been committed to the Court of Sessions and the petitioner has been directed to appear before the Committal Court on 30.11.2018.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution. He further submitted that the petitioner was granted bail in Cr.No.245 of 2018 on 12.06.2018 and on the very next date, the present case came to be foisted against him.

4.The learned Government Advocate (Crl.Side) filed a counter, in which, he has mentioned about six cases pending against the petitioner. It is also submitted that the petitioner has been



granted bail in all the cases.

5. Considering the stage of the case and also considering the fact that the petitioner has to make arrangements for trial, this Court is inclined to grant bail to the petitioner, with certain conditions.

Accordingly, the petitioner is directed to appear before the concerned Sessions Court on 30.11.2018 and thereafter to execute 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 Sessions Judge, Tirunelveli and on further condition that:

[a] the petitioner shall appear before the Sessions Court, Tirunelveli on all hearing dates.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
20/11/2018

/ TRUE COPY /

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

TO

1 THE SESSIONS JUDGE
TIRUNELVELI

2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI

3 THE INSPECTOR OF POLICE
JAIHINDPURAM POLICE STATION, JAIHINDPURAM,
MADURAI DISTRICT

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

+1. CC to MR.J.SANKARA PANDIAN Advocate SR.No.21842

ORDER
IN
CRL OP(MD) No.18185 of 2018
Date :20/11/2018