



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

Monday, the Twenty Ninth day of October Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.18228 of 2018

NETTAI SENTHIL @ SENTHIL KUMAR

... PETITIONER / ACCUSED NO.6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL, DINDIGUL DISTRICT.
CRIME NO.515/2016

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.PALANI VELAYUTHAM 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 14.09.2018 for the offences punishable under Sections 147, 148, 341, 302, 506(ii) I.P.C @ Sections 147, 148, 341, 302, 506(ii) r/w 120(b) I.P.C @ Sections 120(b), 147, 148, 341, 302, 506(ii) and r/w 149 I.P.C, in Crime No.515 of 2016 on the file of the respondent police. He seeks bail.

2.This Court in Crl.O.P(MD).No.14364 of 2018, directed the petitioner to surrender before the concerned trial Court along with the application for recalling the warrant. As per order, the petitioner surrendered before the Court on 14.09.2018. While hearing the said application for recalling the Non Bailable Warrant on merits and in accordance with law, the Court below dismissed the same as devoid of merits and remanded the accused to the judicial custody.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent. In this case, the petitioner's name was not found a place in the First Information Report. He is in incarceration for more than 30 days. The learned counsel undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates, without fail. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having four previous



cases, that of the years 2013 and 2014 and he vehemently opposed the grant of bail to the petitioner.

5. It is seen that there is no specific overtact as against the petitioner and also he is having four previous cases, that too is of the year 2013 and 2015. Thereafter, he did not involve in any offence. Considering the facts and circumstances of the 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 Judicial Magistrate No.II, Dindigul, Dindigul District.

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

sd/-
29/10/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, DINDIGUL,
DINDIGUL DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL,
DINDIGUL, DINDIGUL DISTRICT.
4. THE INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL, DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.PALANI VELAYUTHAM Advocate SR.No.20547

ORDER
IN
CRL OP(MD) No.18228 of 2018
Date :29/10/2018

MS/PN/SAR-1/29.10.2018/2P.7C