



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

Friday, the Twelfth day of October Two Thousand and Eighteen

PRESENT

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

CRL OP(MD) No.18452 of 2018

MOHAMMED MALIK

... PETITIONER / ACCUSED - 8

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
KOTTAR POLICE STATION,
NAGERCOIL,
KANYAKUMARI DISTRICT.
(CRIME NO.1017 OF 2012)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.G.V.VAIRAM SANTHOSH, 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 09.09.2018 for the offences under Sections 152(2), 120 (b), 147, 148, 364 and 302 I.P.c. r/w 149 I.P.C. in Crime No.1017 of 2012 on the file of the respondent Police. The petitioner is arrayed as Accused No.8. He seeks bail.

2.There are totally 11 accused in this case. The petitioner was absent during the trial in P.R.C.No.25 of 2016, on the file of the learned Judicial Magistrate No.II, Nagercoil. Therefore, the Non Bailable Warrant came to be issued and he was remanded to judicial custody on 09.09.2018.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. He would further submit that the petitioner undertakes that he shall appear before the Court below regularly on all future hearing dates without fail.

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



5.Considering the above facts and circumstances and also considering the period of incarceration undergone by 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:

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(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, Nagercoil.

(ii)the petitioner shall appear before the learned Judicial Magistrate No.II, Nagercoil, daily at 10.30 a.m until further orders and on all hearing dates without fail.

sd/-
12/10/2018

/ TRUE COPY /

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

TO

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

+1. CC to Mr.G.V.VAIRAM SANTHOSH, Advocate, SR.No.19549.

ORDER
IN
CRL OP(MD) No.18452 of 2018
Date :12/10/2018

RAM/PN/SAR 4/12.10.2018/2P/7C