



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

Thursday, the Tenth day of January Two Thousand Nineteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.384 of 2019

KARUPPASAMY

... PETITIONER / 4th ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.810/2002)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.D.VENKATESH Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

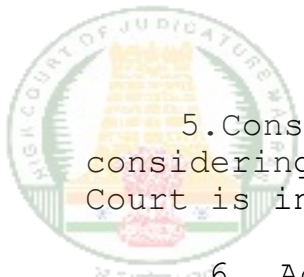
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 14.12.2018 for the offences punishable under Sections 452,395,397 r/w.34 of IPC and Section 3 r/w.25(1-B) (A) of the Indian Arms Act in PRC 9 of 2007 pending on the file of the learned Judicial Magistrate No.II, Dindigul. He seeks bail.

2.The petitioner was absent during the trial in PRC 9 of 2007 on 16.04.2018 pending on the file of the learned Judicial Magistrate No.II, Dindigul . Thereby, Non Bailable Warrant came to be issued on 16.04.2018. Pursuant to the same, the petitioner was arrested and remanded to judicial custody on 14.12.2018. In the meanwhile the petitioner was arrested in Crime No.1058 of 2018 for an offence under Section 229(A) of IPC on 30.11.2018.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent. The petitioner was not able to appear before the trial court on 16.04.2018. 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.



5. Considering the above facts and circumstances and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 and on further condition that:

[a] the petitioner shall appear before trial court daily at 10.30 a.m until further orders.

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

[e] If the accused thereafter absconds, a fresh FIR Can be registered under Section 229 A IPC.

sd/-

10/01/2019

/ TRUE COPY /

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

TO

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

+1. CC to M/S.D.VENKATESH Advocate SR.No. 648

ORDER

IN

CRL OP(MD) No.384 of 2019

Date :10/01/2019