



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

Thursday, the Twenty Eighth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.4504 of 2019

RENJITH CHANDRAKUMAR

... PETITIONER / ACCUSED No. 2

Vs

STATE REP. BY,
THE INSPECTOR OF POLICE
VADASERY POLICE STATION,
KANYAKUMARI DISTRICT.
(IN CRIME NO. 72 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : MR. R. BALAMURUGANANTHAM Advocate

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

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

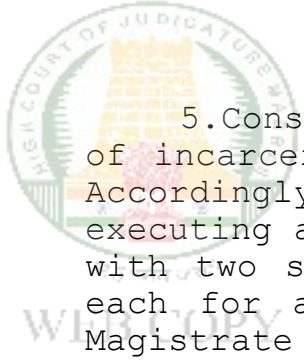
ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 16.02.2018 for the offences under Sections 147,294(b),323,342,363, 506(ii) of IPC @ 143,294(b),323,342,363, 506(ii), 302 of IPC ,in S.C.No.174 of 2018 pending on the file of the learned Principal Sessions Judge, Kanyakumari District . He seeks bail.

2. The petitioner was absent during the trial in S.C.No.174 of 2018 on 30.10.2017 pending on the file of the file of the learned Principal Sessions Judge, Kanyakumari District. Thereby, Non Bailable Warrant came to be issued on 30.10.2017. Pursuant to the same, the petitioner was arrested and remanded to judicial custody on 16.02.2018

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 30.10.2017. 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.Heard the learned Additional Public Prosecutor appearing for the State.
<https://hcservices.ecourts.gov.in/hcservices/>



5. Considering the nature of the case and considering the period of incarceration, I am inclined to grant bail to the petitioner. 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the learned Principal Sessions Judge, Kanyakumari District daily at 10.30 a.m until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

28/03/2019

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
KANYAKUMARI DISTRICT
- 2 THE JUDICIAL MAGISTRATE NO II
NAGERCOIL, KANIYAKUMARI DISTRICT.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANIYAKUMARI DISTRICT AT NAGERCOIL.
- 4 THE INSPECTOR OF POLICE
VADASERY POLICE STATION,
KANYAKUMARI DISTRICT.



5 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI

6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY

+1. CC to MR. R. BALAMURUGANANTHAM Advocate SR.No.5733

ORDER
IN
CRL OP(MD) No.4504 of 2019
Date :28/03/2019

MSI/VR/SAR 4/28.03.2019/4P-8C