



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 20/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8293 of 2019

Arun @ Mattukari Arun

... Petitioner/Accused No.16

Vs

State Rep.by

The Inspector of Police,
Anna Nagar Police Station,
Madurai.

Crime No.1435 of 2016.

... Respondent/Complainant

For Petitioner : M/s..J.William Christopher,
Advocate.

For Respondent : V. Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For bail petition in S.C.No.494 of 2016 on the file of the 6th Additional Sessions Judge, Madurai.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ Accused no.16 seeking bail for the alleged offences under Sections 147,148,302,506 (ii),120(b) of IPC r/w.149 of IPC.

2. The petitioner was absent during the trial in S.C.No.494 of 2016, pending on the file of the learned VI Additional Sessions Judge, Madurai. Thereby, Non Bailable Warrant came to be issued on 28.02.2018. Pursuant to the same, the petitioner was arrested and remanded to judicial custody on 28.02.2018.

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 28.02.2018. 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.



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

5. Taking into consideration all the allegations made against the petitioner and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a] 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 VI Additional Sessions Judge, Madurai.

[b] the petitioner shall report before the Respondent Police, daily at 10.30 A.M for a period of One Month and thereafter, as and when required for the interrogation.

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trail.

[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].

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

sd/-

20/06/2019

/ TRUE COPY /

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

TO

1. THE VI ADDITIONAL SESSIONS JUDGE, MADURAI.
2. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
3. THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION, MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.WILLIAM CHRISTOPHER Advocate SR.No.10078

ORDER

IN

CRL OP(MD) No.8293 of 2019

Date :20/06/2019

MS/VR/SAR-1/20.06.2019/2P.6C