



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 21/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8669 of 2019

N.Gajendran @ Kannan

... Petitioner/Accused

Vs

State Rep.by

The Inspector of Police,
Vaathalai Police Station,
Trichy District.
(Crime No.90 of 2019).

... Respondent/Complainant

For Petitioner : M/s.M.Karunanithi,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.90 of 2019 on the file of the respondent Police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ Accused seeking bail for the alleged offences under Sections 229 (A) of IPC in Crime No.90 of 2019.

2. The petitioner was absent during the trial in C.C.No.158 of 2014 on 15.03.2018, pending on the file of the learned Judicial Magistrate, Musiri, Trichy District. Thereby, Non Bailable Warrant came to be issued on 15.03.2018. Pursuant to the same, the petitioner was arrested and remanded to judicial custody on 08.05.2019.

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 15.03.2018. 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.The learned Additional Public Prosecutor would submit that out of 12 witnesses, nine witness were examined in this case and no previous case is pending against the petitioner.

5.Taking into consideration all the allegations made against the petitioner and also taking into consideration the period of incarceration, and also considering the fact that no other case is pending against the petitioner, this Court 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 learned Judicial Magistrate, Musiri, Tiruchirappalli District.

[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/-

21/06/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, MUSIRI, TIRUCHIRAPPALLI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
VAATHALAI POLICE STATION, TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.KARUNANITHI Advocate SR.No.10253

ORDER IN

CRL OP(MD) No.8669 of 2019

Date :21/06/2019