



WEB COPY

CRL OP(MD) . No.11126 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.11126 of 2019

Prabhu @ Kamal @ Kuttakamal ... Petitioner/Sole Accused

Vs

State rep by its
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
Crime No.256 of 2019

... Respondent/Complainant

For Petitioner : M/s.S.Sukumar,
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.256 of 2019 on the file of the Respondent Police

ORDER : The Court Made the following order :-

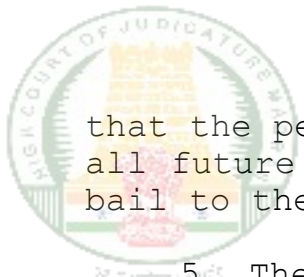
This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence under Section 229 (A) of IPC.

2. Heard both sides

3. The petitioner was absent during the trial in C.C.no.129 of 2008, pending on the file of the learned Judicial Magistrate, Manamadurai. Thereby, Non Bailable Warrant came to be issued on 13.06.2019. Pursuant to the same, the petitioner was arrested and remanded to judicial custody on 09.07.2019.

4.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 13.06.2019. The learned counsel undertakes

<https://hcservices.ecourts.gov.in/hcservices/>



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. The learned Additional Public Prosecutor would submit that if the petitioner is released on bail, it will affect the further progress of the case. Hence he opposed to grant bail to the petitioner.

6. Taking into consideration all the allegations made against the petitioner and also the fact that the petitioner is in custody from 09.07.2019 onwards, 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 Judicial Magistrate, Manamadurai.

[b] the petitioner shall report before the Judicial Magistrate, Manamadurai, on all working days at 10.30 A.M until further orders.

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

[d] the petitioner shall not tamper with evidence or witness 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].

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

sd/-
07/08/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
MANAMADURAI.



2.DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3.THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

4.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1. CC to Mr.S.SUKUMAR Advocate SR.No.13077

ORDER
IN
CRL OP(MD) No.11126 of 2019
Date :07/08/2019

aav
TK/VR/SAR.2/07.08.2019/3P/7C