



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

Date : 17/09/2019

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PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) . No.12876 of 2019

Senthilkumar,

... Petitioner/Sole Accused

Vs

State Rep by
The Inspector of Police,
Town Police Station,
Pudukkottai District
(In Crime No.349 of 2016).

... Respondent/Complainant

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

For Respondent : A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

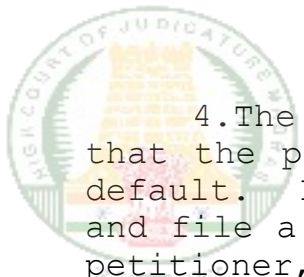
for Bail in Crime No.349 of 2016 on the file of the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 27.05.2019 for the offences under sections 457 and 380 of I.P.C., in Crime No.349 of 2016, on the file of the respondent police. Hence, he seeks bail.

3. The petitioner was absconding for an year. Hence, NBW was issued against him on 29.05.2018. He was arrested and remanded to judicial custody on 27.05.2019.



4.The petitioner's counsel on instructions gives an undertaking that the petitioner will attend all the future hearing without any default. If he is unable to appear, his counsel will represent him and file a petition under Section 317 of Cr.P.C. On account of the petitioner, the trial will not be stalled henceforth. If this undertaking is breached, the order now passed will stand automatically vacated and the petitioner will be remanded to custody.

5. Recording the said submission, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall execute 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 No.I, Pudukkottai District.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

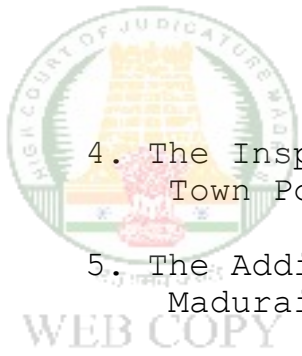
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17/09/2019

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

TO

1. Judicial Magistrate No.I,
Pudukkottai District.
2. Do-Through The Chief Judicial Magistrate,
Pudukkottai District.
3. The Superintendent, Central Prison, Trichy.



4. The Inspector of Police,
Town Police Station, Pudukkottai District

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.M.M.IQBAL, Advocate Sr. No. 15633

ORDER IN
CRL OP (MD) No.12876 of 2019
Date : 17/09/2019

TR/PN/SAR-II (17.09.2019) 3P 7C