



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/09/2019

PRESENT

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

CRL OP(MD) . No.13316 of 2019

Nanthakumar,

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
District Crime Branch,
Trichy.
Crime No. 12 of 2016.

... Respondent/Complainant

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

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

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

PRAYER :-

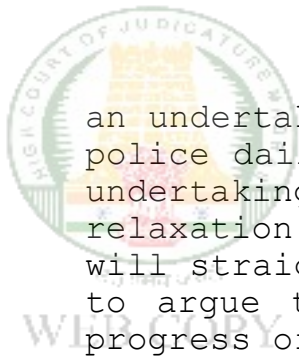
for Bail in Crime No.12 of 2016 on the file of the respondent police

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 13.11.2017, for the offences under sections 406, 420, 506(i) and 120(b) of I.P.C., in Crime No.12 of 2016, on the file of the respondent police. Hence, he seeks bail.

3. The reason why the petitioner could not come out on bail is that he did not comply with the condition to make the cash deposit of a sum of Rs.3,00,000/- (Rupees Three Lakhs Only). It is seen that the co-accused have been enlarged on bail. The case is at the stage of arguments. The petitioner's counsel on instructions gives



an undertaking that the petitioner will appear before the respondent police daily at 06.00 p.m. on all the seven days. He gives further undertaking that he will not file any petition for modification or relaxation of this condition. He gives further undertaking that he will straightaway get along with the case by instructing his counsel to argue the case and the petitioner will not drag or stall the progress of the trial.

4. Recording these undertakings given by the petitioner's counsel on instructions, 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.V, Trichy.

(ii) the petitioner is directed to appear before the respondent police daily at 06.00 p.m. on all the seven days 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].

sd/-
23/09/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, TRICHY.
- 2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TRICHY.



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

+1 CC to M/s.M.SURESH, Advocate (SR-16155[I] dated 23/09/2019)

WEB COPY

ORDER

IN

CRL OP(MD) No.13316 of 2019

Date :23/09/2019

IAS

AE/SK/SAR-IV (24.09.2019) 3P 7C