



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

Date : 20/01/2020

PRESENT

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

WEB COPY

CRL OP(MD). No.690 of 2020

Gnanamoorthy

... Petitioner/Sole Accused

Vs

State,
rep.by Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District
Crime No.144/2014.

... Respondent/Complainant

For Petitioner : M/s.K.R.Laxman,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

for bail in Crime No.144 of 2014 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 20.12.2019, for the offences under Section 147, 148, 341, 294(b), 307 and 506(ii) of I.P.C. r/w. Section 25(1)1(A) of Indian Arms Act, in Crime No.144 of 2014, on the file of the respondent police. Hence, he seeks bail.

3. The petitioner was secured following the issuance of Non Bailable Warrant.

4. The petitioner was originally arrayed as A8 in P.R.C.No.11 of 2016. On account of his abscondance, the case had been split up in P.R.C.No.7 of 2019.



5. The petitioner's counsel states that the petitioner will remit a sum of Rs.5,000/- as costs to the District Legal Service Authority, Ramanathapuram within a period of two weeks from the date of receipt of a copy of this order. 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.

6. Recording the same, 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, Kamuthi, Ramanathapuram.

(ii) 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].

7. Since the petitioner has now appeared before the Court below, there is no necessity to have two committal proceedings. The learned Judicial Magistrate, Kamuthi, Ramanathapuram District is directed to amalgamate both the committal proceedings.

sd/-
20/01/2020

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

TO

1 THE JUDICIAL MAGISTRATE
KAMUTHI, RAMANATHAPURAM

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



3 THE OFFICER IN CHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

4 THE INSPECTOR OF POLICE
KAMUTHI POLICE STATION, RAMANATHAPURAM DISTRICT

5 THE OFFICER IN CHARGE,
DISTRICT LEGAL SERVICE AUTHORITY,
RAMANATHAPURAM

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

+1 CC to M/s.G.VISHNURAM, Advocate (SR-923[I] dated 20/01/2020)

ORDER

IN

CRL OP (MD) No.690 of 2020

Date :20/01/2020

IAS

ES/VR/SAR 2/20.01.2020/3P/8C