



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

Date : 18/02/2020

PRESENT

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

CRL OP(MD). No.2850 of 2020

S.Shanmugaraja

... Petitioner/7th Accused

Vs

The State rep.by
The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.
Crime No.27 of 2012

... Respondent/Complainant

For Petitioner : M/s.M.Boopathipandiyam,
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.27 of 2012 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 facing trial in P.R.C.No.39 of 2019 on the file of the Principal District and Sessions Judge, Ramanathapuram, for the offences under Sections 147, 148, 307 of IPC r/w Section 34 of IPC in Crime No.27 of 2012

3. The petitioner absconded leading to issuance of non bailable warrant for about three months. The petitioners appears to have voluntarily surrendered.

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



5. Recording the petitioner's undertaking, 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;

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(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 Principal District and Sessions Judge, Ramanthapuram.

(ii) the petitioner shall appear before the Court below in all the future hearings without any default.

(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/-
18/02/2020

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

TO

1.THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
RAMANATHAPURAM.

2.THE INSPECTOR OF POLICE,
KEELAKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

3.THE OFFICER INCHARGE
DISTRICT PRISON, RAMANATHAPURAM.

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

+1. CC to M/S.M.BOOPATHIPANDIYAN Advocate SR.No.3317

ORDER
IN
CRL OP(MD) No.2850 of 2020
Date :18/02/2020