



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

Date : 19/02/2020

PRESENT

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

CRL OP(MD). No.2916 of 2020

Leenas Raj

... Petitioner/Accused
Rank Not Known

Vs

The State rep.by
The Sub Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
Crime No.385/2015.

... Respondent/Complainant

For Petitioner : M/s.S.J.Chakkkaravathy,
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.385 of 2015 on the file of the respondent police

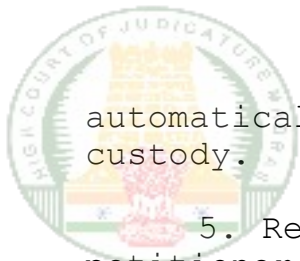
ORDER : The Court made the following order :-

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 07.02.2020 for the offences under Sections 147, 148, 294(b), 427, 307 and 506(ii) of I.P.C. in Crime No.385 of 2015 on the file of the respondent police.

3. The petitioner was absconding. Hence, NBW was issued against him on 12.11.2018. He was arrested and remanded to judicial custody on 07.02.2020.

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, Eraniel.

(ii) on breach of any of the aforesaid condition, 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/-
19/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE JUDICIAL MAGISTRATE, ERANIEL.

2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3.THE OFFICER INCHARGE, DISTRICT JAIL,
NAGERCOIL, KANYAKUMARI DISTRICT.

4.THE SUB INSPECTOR OF POLICE,
ERANIEL POLICE STATION, KANYAKUMARI DISTRICT.

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

+1. CC to M/S.S.J.CHAKKKARAVARTHY Advocate SR.No.3455

ORDER
IN
CRL OP(MD) No.2916 of 2020
Date :19/02/2020

IAS

<https://hccs.csb.gov.in/hccs-services> 2.2020/2P/7C