



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

Date : 20/02/2020

PRESENT

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

CRL OP(MD). No.3044 of 2020

1.Bala @ Balamurugan
2.Senthil @ Senthil Kumar
3.Venkatesh @ Venkateshwaran

... Petitioners/Accused
Nos.1,7,10

Vs

The State rep.by
The Inspector of Police,
CBCID, Sivagangai District.
Crime No.1 of 2014.

... Respondent/Complainant

For Petitioners : M/s.A.Mohan,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

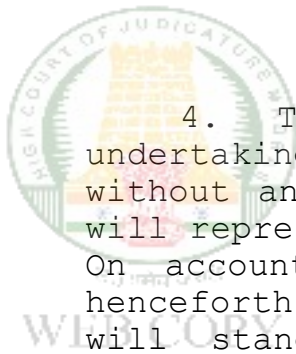
For Bail in Crime No.1 of 2014 on the file of the Respondent Police

ORDER : The Court made the following order :-

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

2. The petitioners are in custody since 04.02.2020 for the offences under Section 147, 148, 294(b), 302, 120(b) r/w. 109 and 34 of I.P.C. in Crime No.1 of 2014 on the file of the respondent police. Hence, they seek bail.

3. The petitioners are facing trial in S.C.No.47 of 2016 on the file of the learned Fast Track Mahila Court, Sivagangai. They had not appeared before the Court below on 27.01.2020, leading to issuance of NBW. They voluntarily surrendered within a week thereafter.



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

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

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties, each for a like sum to the satisfaction of the Fast Track Mahila Court, Sivagangai.

(ii) on breach of any of the aforesaid condition, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
20/02/2020

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

TO

- 1.THE JUDGE, FAST TRACK MAHILA COURT, SIVAGANGAI.
- 2.THE INSPECTOR OF POLICE,
CBCID, SIVAGANGAI DISTRICT.
- 3.THE OFFICER INCHARGE,
SUB JAIL, RAMANATHAPURAM.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.MOHAN Advocate SR.No.3624

ORDER
IN
CRL OP(MD) No.3044 of 2020
Date :20/02/2020