



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

Date : 25/02/2020

PRESENT

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

CRL OP(MD). No.3383 of 2020

Palanichamy

... Petitioner/1st Accused

Vs

The State rep.by
The Inspector of Police,
Chinnamanur Police Station,
Theni District.
Crime No.11 of 2018

... Respondent/Complainant

For Petitioner : M/s.S.Muniyandi,
Advocate.

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

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

PRAYER :- For Bail in Crime No.11 of 2018 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 01.02.2020 following the
execution of non bailable warrant issued against him in C.C.No.43 of
2018 on the file of the Judicial Magistrate, Uthamapalayam, Theni
District, for the offence under Section 379 of IPC.

3. 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.

4. 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;

(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, Uthamapalayam, Theni District.

(ii) the petitioner will 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/-
25/02/2020

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

TO

- 1.THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM, THENI DISTRICT.
 - 2.THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
 - 3.THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION,
THENI DISTRICT.
 - 4.THE OFFICER INCHARGE
SUB JAIL, UTHAMAPALAYAM, THENI DISTRICT.
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.MUNIYANDI Advocate SR.No.3950

ORDER
IN
CRL OP(MD) No.3383 of 2020
Date :25/02/2020