



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

Date : 28/02/2020

PRESENT

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

CRL OP(MD). No.3758 of 2020

Subramanian

... Petitioner/Accused No.4

Vs.

The State rep.by
The Sub-Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
Crime No.205/2014

... Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram,
Advocate.

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

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

PRAYER :- For Bail in Crime No. 205/2014 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.Following the execution of NBW issued against him on
02.03.2018 in PRC No.16 of 2019 on the file of the Judicial
Magistrate Court, Cheranmahadevi, the petitioner is in custody since
24.01.2020 for the offences under Sections 147, 148, 294(b), 353,
379 (sand theft) and 307 IPC.

3.The petitioner's counsel on instructions gives an undertaking
that the petitioner will attend all the future hearings 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's absence, 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.



4. 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, Cheranmahadevi, Tirunelveli District.

(ii) the petitioner will appear before the court below in all the future hearings without fail.

(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/-
28/02/2020

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

TO

1. THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI TIRUNELVELI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL JAIL AT PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
4. THE SUB-INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.SATHYA CHIDAMBARAM Advocate SR.No.4352

ORDER
IN
CRL OP(MD) No.3758 of 2020
Date : 28/02/2020