



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.5824 of 2020

Ananth

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Velayuthapattinam Police Station,
Velayuthapattinam, Sivagangai District.
(Crime.No.86 of 2015)

... Respondent/Complainant

For Petitioner : M/s.P.Krishnaveni, 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.86 of 2015 on the file of the Respondent Police.

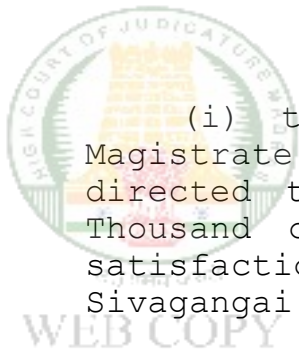
ORDER : The Court made the following order :-

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

2. The petitioner is facing trial in C.C.No.60 of 2017 on the file of the Judicial Magistrate, Devakottai, Sivagangai District. On account of his abscondence, Non Bailable Warrant came to be issued. The petitioner was absconding for about four months.

3. The petitioner gives an undertaking that he would attend all future hearings without any default. If this undertaking is breached and if the petitioner contributes to delay in trial, I will not hesitate to cancel the bail that is now granted and put the petitioner to custody again.

4. Recording the said undertaking given by the petitioner, 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 be released on own bond by the Magistrate without insisting on sureties. However, the petitioner is directed to 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 learned Judicial Magistrate, Devakottai, Sivagangai District, after the concerned Court is reopened.

(ii) the petitioners are directed to appear before the respondent police as and when required for interrogation.

(iii) on breach of any of the aforesaid conditions, the 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 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/-
10/06/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE, DEVAKOTTAI, SIVAGANGAI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE, VELAYUTHAPATTINAM POLICE STATION, VELAYUTHAPATTINAM, SIVAGANGAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.5824 of 2020
Date : 10/06/2020

MS/PN/SAR-3/10.06.2020/2P.6C