



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/01/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.19305 of 2019

Subramaniyan

... Petitioner/Accused No.2

Vs

The Inspector of Police,
Mandalamanickam Police Station,
Ramnad District.
Crime No.59/2015

... Respondent/Complainant

For Petitioner : M/s.S.J.Chakkaravarthy,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

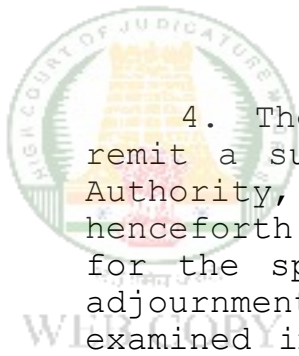
For Anticipatory Bail in Crime No.59 of 2015 on the file of the Respondent Police.

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 one of the accused in Crime No.59 of 2015, for the offences under sections 147, 148, 332, 353, 506(ii) and 188 of I.P.C., on the file of the respondent police. Hence, he seeks anticipatory bail.

3. The case was charge sheeted and taken on file as C.C.No.6 of 2016. The petitioner was figuring as A2. On account of his abscondance, the case was split up and renumbered as C.C.No.93 of 2018 as far as the petitioner is concerned. The main case is now posted for further hearing on 10.02.2020. It appears that one witness had already been examined and the case is posted for examination of L.W.2 to L.W.6.



4. The petitioner's counsel states that the petitioner will remit a sum of Rs.5,000/- as costs to the District Legal Service Authority, Ramnathapuram. He would further state that he would henceforth appear on all future hearing dates and fully cooperate for the speedy disposal of the case. His counsel will not take adjournments for cross examining the witnesses. They will be cross examined immediately chief examination is over. If this condition is breached, the benefit of this order will stand vacated.

5. Recording the said undertaking given by the petitioner through his counsel, the petitioner is directed to appear before the Court below on 10.02.2020 and apply for recall of warrant. On such application being filed, the Court below shall recall the warrant at the end of the day. Non Bailable Warrant shall be kept in abeyance till then.

6. C.C.No.93 of 2018 will thereafter be amalgamated with C.C.No.6 of 2016. Of course L.W.1 will be recalled and his chief examination is not necessary can be dispensed with by the prosecution. The petitioner will cross examine the said L.W.1 without delaying the matter. Thereafter the petitioner will take part in C.C.No.6 of 2016 as C.C.No.93 of 2018 will be amalgamated with the main case in the meanwhile.

7. The criminal original petition stands disposed of, on these terms.

sd/-
02/01/2020

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

TO

1 THE INSPECTOR OF POLICE,
MANDALAMANICKAM POLICE STATION, RAMNAD DISTRICT.

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

+1. CC to M/S.S.J.CHAKKARAVARTHY Advocate SR.No.15

ORDER IN
CRL OP(MD) No.19305 of 2019
Date :02/01/2020

MS/JC/SAR-2/08.01.2020/2P.4C