



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

Friday, the Twenty Seventh day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.2916 of 2015

WEB COPY

JEROME @ JERON

... PETITIONER/ACCUSED No.3

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.
CR. NO.43/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.PON KARTHIKEYAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 28.01.2015 for the offence punishable under Sections 4(b) of Explosive Substance Act in Crime No.43 of 2015 on the file of the respondent police, seeks bail.

2.Heard the learned counsel for the petitioner.

3. It is the case of the prosecution that on 27.01.2015, when the Village Administrative went to the house of A1 and A2, he found 10 country bombs, 8 quarter bottle bombs in rose colour bucket and 4 quarter bottle bombs and ink bottle bombs. It is alleged that there was a dispute in the Cooperative Society election, which took place in the year 2013, between A1 and one Anthony. This petitioner is alleged to be belonging to the party of A1.

4.Mr.R.Anand, learned counsel for the petitioner, would place on record before this Court the medical records of the petitioner to show that he is undergoing treatment for fracture in right hand and other ailments.

5. Therefore, this Court also directed the respondent police to file a status report with regard to that. Today, the respondent police has filed a status report, in which, it is stated as follows:

"6. Accordingly, I got information about the health condition of the accused that the petitioner has sustained fracture in his right hand and a steel plate was fixed at Lister Hospital, Marthandam and he was advised for medical follow up and subsequent to the arrest, while the petitioner is in custody on 02.02.2015, he was given treatment at Jail Hospital, Sub Jail Nagercoil and subsequently for further treatment, he was taken to the Asaripallam Government Hospital, Nagercoil on 03.02.2015 for



medical follow up. These are all the information, I gathered with regard to the health condition of the petitioner."

6. On the grounds of health condition, this Court is inclined to grant bail to the petitioner, but with conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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, No. II, Kuzhithurai, and on further condition that:

[a] the petitioner shall stay at Chennai and report before the Pallikaranai Police Station at 06.30 p.m. for a period of four weeks, except on the dates when he is admitted as in-patient in the hospital and thereafter as and when required for interrogation.

[b] The respondent police is directed to keep tab on the movements of the petitioner and if he leaves Chennai, they are given liberty to move this Court for cancellation of bail.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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/-

27/02/2015

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

TO

1 THE JUDICIAL MAGISTRATE NO. II, KUZHITHURAI.
2 O-THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3 THE OFFICER INCHARGE, SUB JAIL, NAGERCOIL.
4 THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION, KANYAKUMARI DISTRICT.
5 THE STATION INCHARGE, PALLIKARANAI POLICE STATION, CHENNAI.
6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.PON KARTHIKEYAN Advocate SR.No.9231

ORDER IN

CRL OP(MD) No.2916 of 2015

Date : 27/02/2015