



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

Monday, the Eighteenth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.11887 to 11889 of 2016

RAJMOHAN

... PETITIONER / ACCUSED IN
ALL THE PETITIONS

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KOTTAR POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.127 OF 2016)

... RESPONDENT / COMPLAINANT IN
CRL OP(MD) No.11887 of 2016

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ARALVAIMOZHI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.76 OF 2016)

... RESPONDENT / COMPLAINANT IN
CRL OP(MD) No.11888 of 2016

THE STATE REP.BY
THE INSPECTOR OF POLICE,
POOTHAPANDI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.56 OF 2016)

... RESPONDENT / COMPLAINANT IN
CRL OP(MD) No.11889 of 2016

For Petitioner : M/S M.JAYAKUMAR Advocate in all the Petitions

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side) in
all the Petitions.

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

ORDER : The Court Made the following order :-

The petitioner who is arrayed as accused was arrested and remanded to judicial custody on in PT Warrant on 15.03.2016, 01.03.2016 and PT Warrant on 10.03.2016 respectively for the alleged offences punishable under Sections 294(b), 341, 307, 506(ii) of IPC and Section 4 of TNPPDL Act and 294(b), 307 and 506(ii) of IPC and 294(b), 307 and 506(ii) of IPC respectively in Crime Nos.127, 76 and 56 of 2016 respectively, on the file of the respondent police and hence, seeks bail.

2. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the order of detention passed against him under Act 14 of 1982 is revoked by the Home, Prohibition and Excise (XIV) Department, dated 30.06.2016 in G.O.RT.No.2869 and

petitioner is in judicial custody from 01.03.2016 prayed for enlarging the petitioner on bail.

3. Heard the learned Government Advocate(Crl.side).

4.Considering the nature of allegations levelled against the petitioner in all the cases and the order of revocation passed in detaining the petitioner under Act 14 of 1982 and he is in judicial custody from 01.03.2016, this Court is 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) in each case, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Nagercoil (Crl.O.P(MD).No.11187 of 2016), Judicial Magistrate, Boothapandi in Crl.O.P(MD). Nos.11188 and 11189 of 2016.
- (ii)the petitioner shall appear before the Inspector of Police, Aralvmozhi Police Station, Kanyakumari District, daily at 10.00 am and 5.00 pm until further orders.
- (iii)the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv)the petitioner shall not abscond either during investigation or trial.
- (v) 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].

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

18/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,NAGERCOIL.
- 2 THE JUDICIAL MAGISTRATE,BOOTHAPANDI.
- 3 DO THRO THE CHIEF JUDICIAL MAGISTRATE,KANYAKUMARI DISTRICT AT NAGERCOIL.
- 4 THE SUPERINTENDENT,CENTRAL PRISON,PALAYAMKOTTAI.
- 5 THE ADDL. PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 6 THE INSPECTOR OF POLICE,KOTTAR POLICE STATION, KANYAKUMARI DISTRICT.
- 7 THE INSPECOR OF POLICE,ARALVAIMOZHI POLICE STATION,KANYAKUMARI DISTRICT.
- 8 THE INSPECOR OF POLICE,POOTHAPANDI POLICE STATION,KANYAKUMARI DISTRICT.
- +3. CC to M/S M.JAYAKUMAR Advocate SR.No.37190,37191,37192.

ORDER IN

CRL OP(MD) No.11887 to 11889 of 2016

Date :18/07/2016