



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

Wednesday, the Sixth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5963 of 2016

1 MARAGATHAM

2 KANNATHA

... PETITIONERS / ACCUSED No.1 and 2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

VIRUDHUNAGAR WEST POLICE STATION,

VIRUDHUNAGAR DISTRICT.

(CR.NO. 172 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.KAUSHIKAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 10.03.2016, for the offence punishable under Section 379 I.P.C., in Crime No.172 of 2016, on the file of the respondent Police, seek bail.

2. Heard Mr.M.Kaushikan, learned counsel appearing for the petitioners / accused 1 and 2 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) submitted that there is no previous case as against the petitioners / accused and the property has been recovered.

4. Taking into consideration the above facts and the nature of allegations made against the petitioners / accused 1 and 2, this Court is of the view that this is a fit case to grant bail to them. Accordingly, they are ordered to be released on bail, subject to the following conditions:

- (i) each of the petitioners / accused 1 and 2 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 learned Judicial Magistrate No.II, Virudhunagar.



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- (ii) the petitioners / accused 1 and 2 shall report before the respondent Police as and when required for interrogation.
- (iii) the petitioners / accused 1 and 2 shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners / accused 1 and 2 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 petitioners / accused 1 and 2 in accordance with law as if the conditions have been imposed and the petitioners / accused 1 and 2 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/-

06/04/2016

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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,
VIRUDHUNAGAR.
- 2 DO THRO'THE CHIEF JUDICIAL MAGISTRATE
VIRDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 5 THE SUPERINTENDENT CENTRAL PRISON FOR WOMEN JAIL, MADURAI.

+1. CC to M/S M.KAUSHIKAN Advocate SR.No.19391

ORDER

IN

CRL OP(MD) No.5963 of 2016

Date :06/04/2016

RG.JGB-DP/AR-I 06.04.2016 2P/7C