



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

Tuesday, the Fifth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL MP(MD) No.10774 of 2017
IN
CRL RC(MD) No.877 of 2017

SETHUPATHI KARTHICK @ THAKKALI KARTHICK

... PETITIONER

Vs

1 THE ADMINISTRATIVE EXECUTIVE MAGISTRATE
CUM DEPUTY COMMISSIONER OF POLICE (L & O),
MADURAI CITY, MADURAI

2 THE INSPECTOR OF POLICE
JAIHINDPURAM POLICE STATION,
MADURAI CITY, MADURAI

3 THE SUPERINTENDENT OF PRISON
CENTRAL PRISON, MADURAI

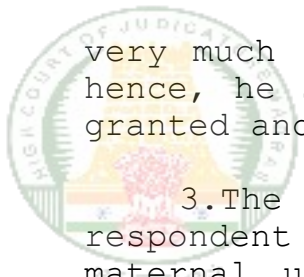
... RESPONDENTS

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to grant interim bail to petitioner forthwith custody under the 3rd Respondent in view of the impugned Order in M.C No. 278/ Ni.SE.Na & Ka.Thu.Aa/Ma.Maa/2017 dated 11.10.2017 passed by the Administrative Executive Magistrate Cum Deputy Commissioner of Police (L & O) Madurai City, Madurai pending disposal of the above Criminal Revision Petition.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.C.SUSI KUMAR, Advocate for the petitioner and of MR.C.MAYILVAHANA RAJENDRAN, Additional Public Prosecutor on behalf of the Respondents the court made the following order:-

The petitioner, who is under the custody of the 3rd respondent in view of the order dated 11.10.2017 in M.C.No.278 / Ni.Se.Na & Ka.Thu.Aa/Ma.Maa./ 2017 passed by the Administrative Executive Magistrate cum Deputy Commissioner of Police, (L & O) Madurai City, Madurai, has filed this petition seeking interim bail, pending disposal of the Criminal Revision Petition.

2.When the Criminal Revision case is pending before this Court, it was represented by the learned counsel for the petitioner that maternal uncle of the petitioner died on 04.12.2017 at Rajaji Government Hospital, Madurai and the presence of the petitioner is



very much required for cremation rituals of his maternal uncle and hence, he sought for an interim bail. Therefore, lunch motion was granted and the case is taken up today for hearing.

3. The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that the petitioner's maternal uncle died on 04.12.2017 at Rajaji Government Hospital, Madurai and the brother of the deceased was granted interim bail by this Court till 06.12.2017 at 5.00 p.m. He has not raised serious objection for granting interim bail to the petitioner herein, to a limited period.

4. Under such circumstances, this Court is inclined to grant **interim bail** to this petitioner. But taking into consideration the fact that this order is being passed today, the petitioner will not be in a position to execute sureties and get released from the custody immediately.

5. Therefore, as an extraordinary measure, this Court is directing the Superintendent of Central Prison, Madurai to release the petitioner Sethupathi Karthick @ Thakkali Karthick from Central Prison, Madurai on 05.12.2017 after following the usual procedure and other safeguarding measures in accordance with the Prison Manual to his house for the final rites of his maternal uncle and he shall be taken back to the Central Prison, Madurai before 10.00 a.m. On 07.12.2017. The Superintendent of Central Prison, Madurai shall provide escort to the petitioner from the Central Prison, Madurai, from the time he leaves the Central Prison, Madurai and till such time he is taken back to the Central Prison, Madurai, on the said date and time as stated above.

6. This petition is ordered accordingly.

sd/-

05/12/2017

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

TO

- 1 THE ADMINISTRATIVE EXECUTIVE MAGISTRATE
CUM DEPUTY COMMISSIONER OF POLICE (L & O),
MADURAI CITY, MADURAI.
- 2 THE INSPECTOR OF POLICE
JAIHINDPURAM POLICE STATION, MADURAI CITY, MADURAI
- 3 THE SUPERINTENDENT OF PRISON, CENTRAL PRISON, MADURAI
- +1. C.C. to M/S.M.SUBASH BABU Advocate SR.No.35614

ORDER IN

CRL MP(MD) No.10774 of 2017 IN
CRL RC(MD) No.877 of 2017

Date : 05/12/2017