



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

Monday, the Third day of April Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.3497 of 2017

KEVIN

... PETITIONER/ ACCUSED NO.2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

KULASEKARAPATTINAM POLICE STATION,

THOOTHUKUDI DISTRICT

CRIME NO.34 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.J.KARTHICK Advocate

For Respondent :M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/2nd Accused, who was arrested on 27.02.2017 for the offences punishable under Sections 280, 304, 307 I.P.C., and girl missing @ 280, 304, 337 of I.P.C., in Crime No.34 of 2017 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submits that the boat involved in the accident is owned by his father and he is in no way connected with the crime. The registration certificate of the boat is also not in the name of the petitioner.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate(Crl. Side) appearing for the respondent on instructions, submitted that the investigation is going on.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Thiruchendur.



(ii) the petitioner is directed to appear before the respondent police daily at 10.00 a.m. until further orders.

1. the petitioner shall not tamper with the 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 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 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/-

03/04/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THIRUCHENDUR.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

3. THE OFFICER IN CHARGE,
DISTRICT JAIL, SRIVAİKUNDAM.

4. THE INSPECTOR OF POLICE
KULASEKARAPATTINAM POLICE STATION, THOOTHUKUDI DISTRICT.

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

+1. CC to M/S.R.J.KARTHICK Advocate SR.No.18835

ORDER

IN

CRL OP(MD) No.3497 of 2017

Date : 03/04/2017

MS/PM.PN/SAR.4/03.04.2017/2P.7C