



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

Thursday, the Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice N.AUTHINATHAN

CRL OP(MD) No.5641 of 2017

MURUGAN @ LOAD MURUGAN

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE
POOVANTHI POLICE STATION,
SIVAGANGAI DISTRICT
(CRIME NO.75/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKRTHIK Advocate

For Respondent : MR.K.ANABARASAN, 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 29.07.2016 for the offences punishable under Section 399 IPC in Crime No.75 of 2016 on the file of the respondent police, seeks bail.

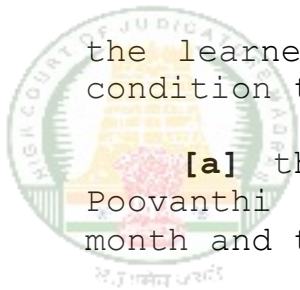
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3.The learned counsel for the petitioner submits that in this case, the petitioner was arrested on 29.07.2016 and he has been in custody for more than 9 months. He would further submit that the detention order passed against him under Act 14/1982 has been revoked by a Division Bench of this Court.

4.It is represented by the learned Government Advocate (Crl.Side) that in this case, investigation has been completed and charge-sheet has been filed before the concerned court.

5.Having regard to the fact that he has been in custody for more than 9 months and taking into account that the detention order passed against him under Act 14/1982 has been revoked by a Division Bench of this Court, I am inclined to grant bail to the petitioner, subject to the following conditions:

6. That, 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, Sivagangai and on further condition that:

[a] the petitioner shall report before the Circle Inspector, Poovanthi Police Station daily at 10.00 a.m. for a period of one month and thereafter as and when required for interrogation.

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

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

[d] 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/-

04/05/2017

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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, SIVAGANGAI
- 2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT
- 3 THE INSPECTOR OF POLICE
POOVANTHI POLICE STATION,
SIVAGANGAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI

+1. CC to M/S.M.S.JEYAKRTHIK Advocate SR.No.21876

ORDER

IN

CRL OP(MD) No.5641 of 2017

Date :04/05/2017

SMA/KKR/SAR-4/04.05.2017:2P/7C