



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

Thursday, the Eighteenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.5746 of 2017

MADHAVAN

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
PALANI ADIVARAM POLICE STATION,
DINDIGUL DISTRICT.
(CR.NO.68/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.VENKATESH Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/A-2, who was remanded to judicial custody on 04.04.2017 for the offences punishable under Sections 147, 148, 294 (b), 324 & 307 of I.P.C in Crime No.68 of 2017 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 respondent / Police.

3.The learned counsel for the petitioner would submit that the petitioner is in judicial custody from 04.04.2017. He further submitted that A-1 was granted anticipatory bail by this Court and therefore, prays for bail.

4.The learned Government Advocate(Crl. Side) on instructions submitted that the petitioner is an habitual offender and three more cases are pending against him in similar nature and detention order is going to be passed and the same is pending before the District Collector. Therefore, he strongly objected for granting of bail to the petitioner.

5.Though the learned Government Advocate(Crl. Side) strongly objected for granting of bail to the petitioner, considering the nature of offence and also considering the fact that A-1 was granted



anticipatory bail by this Court, 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, Palani;

(ii) the petitioner is directed to reside at Chennai and report before the Chief Metropolitan Magistrate Court, Egmore, Chennai daily at 10.30 a.m., until further orders;

(iii) 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/-

18/05/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PALANI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE CHIEF METROPOLITAIN MAGISTRATE COURT, EGMORE, CHENNAI.
- 4 OFFICER IN CHARGE,
DISTRICT JAIL, DINDIGUL.
- 5 THE INSPECTOR OF POLICE,
PALANI ADIVARAM POLICE STATION, DINDIGUL DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No.22524

ORDER

IN

CRL OP(MD) No.5746 of 2017

Date :18/05/2017