



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.5861 of 2017

A.JIYAVUDEEN

... PETITIONER / ACCUSED NO.7

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
K.PUDUR POLICE STATION, MADURAI.
IN CR.NO.83/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.J.SHEIK IBRAHIM Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

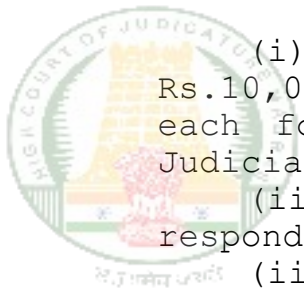
The petitioner/A-7, who was arrested and remanded to judicial custody on 31.01.2017 for the offences punishable under Section 5 of Explosive Substance Act and Section 120(b) of I.P.C in Crime No.83 of 2017 on the file of the respondent police, seeks bail.

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 31.01.2017. He further submitted that one of the co-accused was granted bail by the Court below and therefore, prays for bail.

4.The learned Government Advocate(Crl. Side) on instructions submitted that the petitioners along with other accused prepared bomb for firing at conference scheduled to be held at Palladam in Thiruppur District and in this case, investigation was completed and charge sheet was filed and the same is not taken on file by the learned Magistrate concerned.

5., Considering the fact that in this case investigation was completed and charge sheet was filed and there is no chance for tampering with the witnesses, 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 No.VI, Madurai;

(ii) the petitioner is directed to appear before the respondent police 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 NO.VI, MADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE,
K.PUDUR POLICE STATION, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.J.SHEIK IBRAHIM Advocate SR.No.22304

ORDER
IN
CRL OP(MD) No.5861 of 2017
Date :18/05/2017

MKV-MSA-SAR 4/19.5.2017/2P-7C