



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

Wednesday, the Seventeenth day of May Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.6078 of 2017

KUMAR @ OLLIKUMAR, ... PETITIONER/ACCUSED NO.4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO. 807 OF 2008) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.SENGUTTUARASAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner / accused, who was arrested on 21.12.2016 for the offences punishable under Sections 454, 380 and 302 IPC in Crime No.807 of 2008 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 no way connected with the crime and he is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner was already enlarged on bail and he was not able to attend the court on 28.03.2013 due to ill health, the bail was cancelled and subsequently, he was arrested.

4.The learned Government Advocate(Crl. Side) submitted that the petitioner has committed serious offence and he opposed for granting bail to the petitioner.

5.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioner and also the period of incarceration, 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 Judicial Magistrate, Devakottai, Sivagangai District;

(ii) the petitioner is directed to appear before the concerned Court 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/-

17/05/2017

/ TRUE COPY /

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

NBJ

TO

- 1 THE JUDICIAL MAGISTRATE
DEVAKOTTAI, SIVAGANGAI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT
- 3 THE INSPECTOR OF POLICE,
DEVAKOTTAI TOWN 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.P.SENGUTTUARASAN Advocate SR.No.22062

GJM/MSA/SAR-4-18.5.17-2P-7C

ORDER

IN

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Date :17/05/2017