

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL ORIGINAL PETITION No.18177 of 2018

P.K.MURUGAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

INSPECTOR OF POLICE,
KALLAKURICHI POLICE STATION,
VILLUPURAM DISTRICT.
CR.NO.318 OF 2018.

For Petitioner : M/S.R.NALLIYAPPAN Advocate

For Respondent : MR.R.SURYA PRAKASH Govt. Advocate

For Intervener : MR.C.S.SARAVANAN Advocate

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

Heard both sides.

2. The petitioner/A.2, who was arrested and remanded to judicial custody on 03.05.2018 for the alleged offences punishable under Sections 294(b), 302, 506(ii) of I.P.C in Crime No.318 of 2018 on the file of the respondent police, seeks bail.

3. Learned counsel appearing for the petitioner would submit that the other co-accused A.3 and A.4 were granted bail by this Court in Crl.O.P.Nos.15536 and 17617 of 2018, dated 17.07.2018.

4. Heard the learned Government Advocate and the learned counsel appearing for the intervenor.

5. Considering the fact that the petitioner is in custody from 03.05.2018 and that the other co-accused with similar overt act were released on bail and that substantial part of investigation is being over and also taking into consideration the health condition of the petitioner, this Court is constrained to release him on bail.

6. Accordingly, it is ordered that the petitioner/A.2 shall be released on bail, subject to the following conditions:-

(i) The petitioner (A2) shall stay in Madurai District and sign before the learned Chief Judicial Magistrate, Madurai, daily twice at 10.30 a.m and 5.30.p.m;

(ii) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, out of which, one surety should be blood relative, for a likesum to the satisfaction of the learned Judicial Magistrate-I, Kallakurichi;

(iii) the petitioner shall not tamper with evidence or witness during trial;

(iv) the petitioner shall not abscond during trial;

(v) on breach of any of the aforesaid conditions, the learned Trial Judge is entitled to take appropriate action against the petitioner in accordance with law as per the decision laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs.State of Kerala [(2005) AIR SCW 5560]**

(vi) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A I.P.C.

-sd/-

18/07/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, KALLAKURICHI

2 THE CHIEF JUDICIAL MAGISTRATE
VILUPURAM[FOR INFORMATION]

3 THE CHIEF JUDICIAL MAGISTRATE
MADURAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
KALLAKURICHI POLICE STATION,
VILLUPURAM DISTRICT.

6 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

+1 CC to M/S.R.NALLIYAPPAN Advocate on payment of necessary
charges SR.NO. 13324

CRL OP.18177/2018

Date :18/07/2018

RD 19/07/2018