



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

Friday, the Thirteenth day of April Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.5945 of 2018

KAPIL @ KAPILDEV

... PETITIONER / ACCUSED

Vs

1 MUTHIAHPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.57 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MUTHUMALAIRAJA Advocate

For Respondent : M/S. A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is shown as Accused. He was arrested and remanded to judicial custody on 11.03.2018 for the offences punishable under Sections 341, 294(b), 387, 307, 506(ii) I.P.C., in Crime No.57 of 2018 on the file of the respondent police. He seeks bail.

2.The learned counsel for the petitioner submitted that the petitioner has been in judicial custody from 11.03.2018 and he prays for grant of bail to the petitioner.

3. The learned Government Advocate(Crl.sid) submitted that the victim did not suffer any injury.

4.However considering the nature of allegation levelled against the petitioner, this Court is inclined to enlarge the petitioner on bail with certain conditions. 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.II, Thoothukudi.



(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) 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/-
13/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO-II,
THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHEIF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE OFFICER IN CHARGE,
PERURANI JAIL,
THOOTHUKUDI DISTRICT.
- 4 MUTHIAHPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.S.MUTHUMALAIRAJA Advocate SR.No.6137.

ORDER
IN
CRL OP(MD) No.5945 of 2018
Date :13/04/2018

SDS/CM:VR/VK/13.04.2018/2P/7C