



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

Friday, the Thirteenth day of April Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.5940 of 2018

1 SELVAKANNAN

2 ESAKKI @ ESAKKI RAJA

... PETITIONERS / A9 & A 8

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.9 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.S.SATHYA CHIDAMBARAM Advocate

For Respondent : Mr.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 petitioners are shown as Accused Nos.9 and 8. They were arrested and remanded to judicial custody on 24.01.2018 and 27.01.2018 respectively for the offences punishable under Sections 341 and 302 I.P.C. @ Sections 147, 148, 120(B), 341, 302 IPC, in Crime No.9 of 2018 on the file of the respondent police. He seeks bail.

2.The learned counsel for the petitioners submitted that the petitioners are in custody from 24.1.2018 and 27.1.2018 respectively and co-accused has been granted bail by this Court.

3. The learned Government Advocate(Crl.sid) submitted that there are two previous cases pending against the accused No.8 and there is one previous case pending against the accused No.9 only for lesser offence.

4. Considering the above aspects, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;



(i) the petitioners 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, Cheranmahadevi, Tirunelveli District.

(ii) the petitioners are 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 petitioners 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,
CHERANMAHADEVI, TIRUNELVELI DISTRICT
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI
- 3 THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 5 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.6153

CM
JAM/13/04/2018/ CM-VR /VK/ 2P-7C