



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

Wednesday, the Eighteenth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.6259 of 2018

1 MURUGAN
2 OOIKATTAN

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
IN CR NO. 89 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.JEGADEESH PANDIAN Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

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

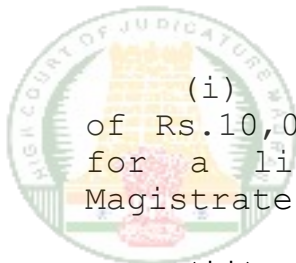
ORDER : The Court Made the following order :-

The petitioners are arrayed as accused-1 & 2. They were arrested and remanded to judicial custody on 06.04.2018 for the offences punishable under Sections 379 of IPC r/w 3 of TNPPDL Act, in Crime No.89 of 2018, on the file of the respondent police. They seeks bail.

2. The learned counsel appearing for the petitioners submitted that these petitioners were not at all present in the scene of occurrence and that they are ready to co-operate with the prosecution and prays for bail in favour of the petitioners.

3. The learned Government Advocate (Crl. Side) submitted that there is previous case is pending against the first petitioner/A1 herein and that there is no previous case registered against the second petitioner/A2 herein.

4. Taking note of the fact that there is previous case is pending against the first petitioner/A1, this Court is not inclined to grant bail to the first petitioner/A1. In respect of second petitioner/A2, this this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the second petitioner is ordered to be released on bail, subject to the following conditions;



(i) the second 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, Sathankulam, Thoothukudi District.

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

(iii) the second petitioner shall not abscond.

(iv) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the second petitioner in accordance with law as if the conditions have been imposed and the second 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/-
18/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
SATHANKULAM, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL JAIL, TIRUNELVELI.
- 4 THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION, THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.6486

ORDER
IN
CRL OP(MD) No.6259 of 2018
Date :18/04/2018