



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

Tuesday, the Seventeenth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.6110 of 2018

BALAGANESAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
THERMAL NAGAR POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.19 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.A.J.THEIVA THOLKAPPIAN 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 petitioner is arrayed as the sole accused. He was arrested and remanded to judicial custody on 17.03.2018 for the offences punishable under Sections 294(b), 307 and 506(ii) I.P.C., and Section 4 of TNPWH Act, in Crime No.19 of 2018, on the file of the respondent police. He seeks bail.

2.Heard the learned Government Advocate (Crl.Side) appearing for the respondent police.

3.This Court taking serious note of the petitioner's conduct in harassing the erstwhile wife dismissed the earlier bail application.

4. The learned counsel appearing for the petitioner undertakes that the petitioner shall not go any where near his erstwhile wife and her children.

5.Recording the said undertaking given by the petitioner's counsel on behalf of 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;



sureties, each for a like sum to the satisfaction of the learned District Sessions Judge, Thoothukudi.

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

(iii) the 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 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/-
17/04/2018

/ TRUE COPY /

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

TO

- 1 THE DISTRICT SESSIONS JUDGE, THOOTHUKUDI.
- 2 THE OFFICER IN CHARGE, DISTRICT JAIL,
PEROORANI, THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THERMAL NAGAR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.THEIVA THOLKAPPIAN Advocate SR.No.6325

ORDER
IN
CRL OP(MD) No.6110 of 2018
Date :17/04/2018

MKV-CM-ASVM/17.4.2018/2P-6C