



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.6121 of 2018

ARUMAIDURAI,

... PETITIONER / ACCUSED NO.A2

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
NAINARKOVIL POLICE STATION,
RAMANATHAPURAM DISTRICT,
(CRIME NO.18 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MURUGAN Advocate

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

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

ORDER : The Court Made the following order :-

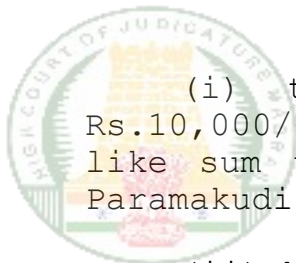
The petitioner is arrayed as Accused No.2. He was arrested and remanded to judicial custody on 21.02.2018 for the offences punishable under Sections 294(b), 324, 307 and 506(ii) I.P.C., @ 120 (b), 147, 148, 294(b), 506(ii) & 302 I.P.C in Crime No.18 of 2018. He seeks bail.

2.The petitioner and other accused are said to have stabbed the deceased Muniyasamy on his chest and stomach.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is in judicial custody from 21.02.2018 onwards. Hence, he prays for bail.

4.The learned Government Advocate (Crl.Side) submitted that there is one case is pending against the petitioner for the offence under Section 107 Cr.P.C.

5.Taking note of the fact that the co-accused was already granted bail and also the fact that the petitioner is having one previous case, 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, Paramakudi.

(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 JUDICIAL MAGISTRATE, PARAMAKUDI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE,
NAINARKOVIL POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.R.MURUGAN Advocate SR.No.6343

MSA

GJM/CM/ASVM/17.4.18-2P-7C

ORDER

IN

CRL OP(MD) No.6121 of 2018

Date :17/04/2018 (1/2)