



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

Friday, the Twentieth day of April Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.6355 of 2018

1 SEKAR

2 MURUGAPANDI

... PETITIONERS / ACCUSED Nos.3 & 5

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI CITY.
(CR.NO.153/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.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 the sole accused Nos.3 & 5. They were arrested and remanded to judicial custody on 09.03.2018 for the offences punishable under Sections 147, 148, 392, 397, 294(b), 506 (ii) IPC and Section 25(1) (a) of Arms Act, 1959 in Crime No.153 of 2018, on the file of the respondent police. They seek bail.

2.The learned counsel for the petitioners submitted that the petitioners were falsely implicated in this case and they are in judicial custody from 09.03.2018. Hence, he prays for bail.

3.As rightly pointed out by the learned Government Advocate (Crl.side) the first petitioner is having number of previous cased to his credit. This Court has gone into the averments of the FIR. The averments do not inspire the confidence of this Court.

4.Considering the nature of allegation made against the petitioners, 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;

<https://hcservices.ecourts.gov.in/hcservices/>

(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 No.V, Madurai.

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

(iii) the petitioners shall not abscond.

(iv) 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 petitioners 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/-
20/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V,
MADURAI
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI
- 3 THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION, MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 5 THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.6692
GNS
JAM/20/04/2018/ CM-VR /GSR/ 2P-7C

ORDER
IN
CRL OP(MD) No.6355 of 2018
Date :20/04/2018