



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

Friday, the Twentieth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.6462 of 2018

PATHALAM

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
IN CR NO. 49 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK 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 accused No.2. He was arrested and remanded to judicial custody on 03.03.2018 for the offences punishable under Sections 294(b), 307 & 506(ii) IPC and Section 4 of TNPWH Act and Section 3 of TNPPDL Act in Crime No.49 of 2018, on the file of the respondent police. He seeks bail.

2.The learned Government Advocate (Crl.side) submitted that the petitioner is having number of pervious cases to his credit.

3.The learned counsel for the petitioner undertakes that the petitioner's father namely, Sethuraman, shall first file an affidavit of undertaking that they will not interfere with the property belonging to the de facto complainant. The petitioner shall also file an affidavit of the same to the effect within a period of two weeks.

4.Recording the undertaking given by 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;

(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, Srivaikundam.



(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/-
20/04/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAICKUNDAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE OFFICER IN CHARGE,
DISTRICT PRISON, PERURANI.
- 4 THE INSPECTOR OF POLICE
SRIVAICKUNDAM POLICE STATION, THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.6772

ORDER
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Date :20/04/2018

MKV-CM-VR-GSR/20.4.2018/2P-7C