



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.6458 of 2018

ESAKKIMUTHU

... PETITIONER / ACCUSED No.3

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
ERAL POLICE STATION, THOOTHUKUDI,
IN CR NO. 382 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R. ARAVIND RAJ 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 accused No.3. He was arrested and remanded to judicial custody on 31.03.2018 for the offences punishable under Sections 448, 294(b), 323, 324 & 506(ii) IPC and Section 4 of TNPPDL Act in Crime No.382 of 2017, on the file of the respondent police. He seeks bail.

2.The petitioner herein was granted anticipatory bail with condition to make certain deposit. But the petitioner has not complied with the said condition. Therefore, he came to be arrested.

3.Taking note of the all circumstances, 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, Thiruchendur, Thoothukudi District.

(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

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUCHENDUR , THOOTHUKUDI DISTRICT
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE
ERAL POLICE STATION,
THOOTHUKUDI,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 5 THE OFFICER INCHARGER
SUB JAIL, PERAVOORANI,
TUTICORIN DISTRICT

+1. CC to M/S.R. ARAVIND RAJ Advocate SR.No.6694

GNS

JAM/20/04/2018/ CM-VR /GSR / 2P-7C

ORDER

IN

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Date :20/04/2018