



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

Friday, the Twenty Seventh day of April Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) No.7128 of 2018

SIVAKUMAR

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE
THOOTHUKUDI SOUTH POILCE STATION,
THOOTHUKUDI DISTRICT,
CRIME NO.119/2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.ANAND Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHA,
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.1. He was arrested and remanded to judicial custody on 26.02.2018 for the offences under Sections 294(b), 323, 302 and 506(ii) of I.P.C., in Crime No.119 of 2018 on the file of the respondent police. He seeks bail.

2.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and prays for bail in favour of the petitioner.

3.The learned Government Advocate(Criminal Side) submitted that there are two accused in this case and both of them have been arrested. He further submitted that the investigation is substantially over.

4.Taking note of all these aspects, 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;

<https://hcservices.ecourts.gov.in/hcservices/>
(1) 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 No.I, Thoothukudi.

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

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(iii) 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/-

27/04/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI
- 2 THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE
THOOTHUKUDI SOUTH POLICE STATION,
THOOTHUKUDI DISTRICT
- 4 THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI, TIRUNELVELI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.R.ANAND Advocate SR.No.7619

ORDER

IN

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Date :27/04/2018

SMA/PN/VK/27.04.2018:2P/7C