



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

Tuesday, the Fifth day of June Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.7727 of 2018

CHINNAIH

... PETITIONER/ACCUSED

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
THIRUKOSTIYUR POLICE STATION,
IN CRIME NO.39/2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.RM.ARUN SWAMINATHAN, 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. He was arrested and remanded to judicial custody on 02.05.2018 for the offence punishable under Section 174 Cr.P.C then altered into Section 302 I.P.C., and Section 3(1)(r)(s) of SC/ST Act, in Crime No.39 of 2018, on the file of the respondent police. He seeks bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

3.The age of the petitioner is 75 years. Taking into account of the petitioner's age, 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 Special Judge for Exclusive Trial Cases, under SC/ST Act, 1989, Sivagangai.



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

(iii) the petitioner shall not abscond.

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(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/-
05/06/2018

/ TRUE COPY /

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

TO

- 1 THE SPECIAL JUDGE FOR EXCLUSIVE
TRIAL CASES UNDER SC/ST ACT, 1989, SIVAGANGAI
 - 2 THE INSPECTOR OF POLICE,
THIRUKOSTIYUR POLICE STATION, SIVAGANGAI DISTRICT
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.RM.ARUN SWAMINATHAN, Advocate SR.No.9509

ORDER
IN
CRL OP(MD) No.7727 of 2018
Date :05/06/2018

PK/PN/ASVM/05.06.2018 : 2P/6C