



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

Monday, the Fourth day of June Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.8114 of 2018

JAMBULINGHAM

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
M.PUDUPATTI POLICE STATION,
VIRUTHUNAGAR DISTRICT.
CRIME NO.60 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.LAJAPATHI ROY, Advocate

For Respondent : Mr.A.ROBINSON, 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 No.1. He was arrested and remanded to judicial custody on 30.03.2018 for the offences punishable under Sections 294(b), 302 IPC, in Crime No.60 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 not having any previous cases. He also pointed out that due to land dispute and sudden provocation, the entire occurrence took place. It appears that from the side of the victim also there was aggression.

3.Heard the learned Government Advocate (Crl. Side).

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;

(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 Court No.II, Sivakasi, Viruthunagar 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/-

04/06/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, SIVAKASI,
VIRUTHUNAGAR DISTRICT.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILIPUTTUR.
 3. THE OFFICER INCHARGE, DISTRICT PRISON,
VIRUTHUNAGAR.
 4. THE INSPECTOR OF POLICE
M.PUDUPATTI POLICE STATION, VIRUTHUNAGAR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.LAJAPATHI ROY Advocate SR.No.9400

ORDER

IN

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Date : 04/06/2018

MS/PN/VK/04.06.2018/2P.7C