



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

Thursday, the Seventh day of June Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.9339 of 2018

THALAIMUTHU

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI RURAL POLICE STATION,
MADURAI RURAL.
CRIME NO.76/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.RM.ARUN SWAMINATHAN Advocate

For Respondent : Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

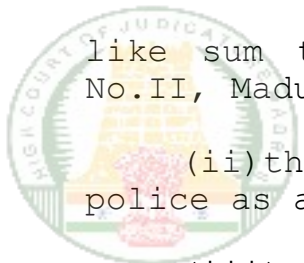
The petitioner is arrayed as Accused No.2. He was arrested and remanded to judicial custody on 22.04.2018 for the offences punishable under Sections 457 and 380 I.P.C., in Crime No.76 of 2018 on the file of the respondent police. He seeks interim bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent.

3.The learned counsel for the petitioner submitted that the petitioner's father passed away and therefore the petitioner's presence is necessary for performing funeral rites.

4.Considering the special facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. Since the petitioner has to rush for performing final rites, it would not be possible for him to furnish the sureties. Therefore, the Superintendent of Prison, Central Jail, Madurai is directed to release the petitioner forthwith on production of this order.

5.The petitioner shall furnish the sureties on 12.06.2018, subject to the following conditions;



like sum to the satisfaction of the learned Judicial Magistrate No.II, Madurai.

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

(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/-
07/06/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI RURAL POLICE STATION, MADURAI RURAL.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.RM.ARUN SWAMINATHAN Advocate SR.No.9731

ORDER
IN
CRL OP(MD) No.9339 of 2018
Date :07/06/2018

MS/PN/RNB/07.06.2018/2P.7C