



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

Monday, the Eleventh day of June Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.9364 of 2018

MUNIESWARAN

... PETITIONER /2nd ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KADUPATTI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.76 OF 2013

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.KANNAN, 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 accused No.2. He was arrested and remanded to judicial custody on 26.12.2017 for the offences punishable under Sections 147, 148, 449, 294(b), 302, 120(b), 506(ii) of IPC r/w 149 of IPC in Crime No. 76 of 2013, on the file of the respondent police. He seeks bail.

2.The petitioner is in custody since 26.12.2017 for offences under Sections 147, 148, 449, 294(b), 302, 120(b), 506(ii) of IPC r/w 149 of IPC. He was secured pursuant to issuance of non-bailable warrant. The case is still pending at the committal stage. The learned counsel for the petitioner produced materials to show that during the relevant time, he was a Juvenile.

3.Taking into the said fact and also the fact that his name does not figure in the First Information Report and that he is in custody for 170 days, this Court is inclined to grant bail to the petitioner 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, Vadipatti, Madurai;



(ii) The petitioner shall not abscond;

(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/-

11/06/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, VADIPATTI,
MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE
KADUPATTI POLICE STATION, MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.M.KANNAN Advocate SR.No.10024

ORDER

IN

CRL OP(MD) No.9364 of 2018

Date :11/06/2018

MS/PN/ASVM/11.06.2018/2P.7C