



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

Wednesday, the Fourth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.11047 of 2018

SENTHILKUMAR,

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE
PUTHIYAMPUTHUR POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.185 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 26.04.2018 for the offences punishable under Sections 341, 147, 148, 324, 307, 302 I.P.C @ Section 120(b), 341, 147, 148, 324, 307 and 302 I.P.C r/w Section 34 I.P.C. in Crime No.185 of 2017, on the file of the respondent police. He seeks bail.

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

3.It is a case of double murder. There are totally 18 accused in this case. The police have arrested as many as 13 persons in this case, including the petitioner herein. Since the final report was not filed, all other arrested accused came out on statutory bail. Some of the accused were detained under Tamil Nadu Act 14 of 1982 and they were quashed.

4.This Court is of the view that the continued incarceration of the petitioner will not be going to serve any purpose. Hence, this Court is inclined to grant bail to the petitioner. 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 No.I, Thoothukudi.

(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/-
04/07/2018

/ TRUE COPY /

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
PUTHIYAMPUTHUR POLICE STATION, THOOTHUKUDI DISTRICT
- 4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.12092

ORDER
IN
CRL OP(MD) No.11047 of 2018
Date :04/07/2018

SMA/CM/RNB/04.07.2018:2P/4C