



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

Tuesday, the Tenth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.11505 of 2018

1 RAJESH

2 ARAVIND GANESH

... PETITIONERS/ACCUSED NO.A1 & A4

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI,
CRIME NO.722/2018

... RESPONDENT / COMPLAINANT

For Petitioners : MR.P.KRISHNAVENI Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

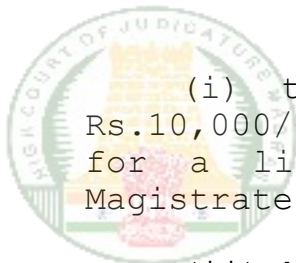
The first petitioner is in judicial custody since 20.04.2018. While the second petitioner is in judicial custody since 24.04.2018 for the offences punishable under Sections 341, 294(b), 323, 364(A), 120(b), 506(ii), 302 I.P.C and Sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, in Crime No.722 of 2018 on the file of the respondent police. They seek bail.

2.The case of the prosecution is that the deceased had borrowed money from the first petitioner and that the first petitioner demanded, it was returned. In that process, the offence in question had been committed.

3.The learned Government Advocate(Crl.Side) pointed out that the first petitioner is having two previous cases and the second petitioner is having one previous case to his credit.

4.The learned counsel for the petitioners submitted that these so called previous cases are actually not previous but subsequent cases.

5.Taking note of all these aspects, this Court is inclined to grant bail to the petitioners. Accordingly, the Petitioners are ordered to be released on bail, subject to the following conditions;



(i) the Petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Madurai.

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

(iii) the Petitioners shall not abscond.

(iv) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioners are 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/-

10/07/2018

/ 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 INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- +1. CC to M/S.P.KRISHNAVENI Advocate SR.No.12610

MSA

GJM/VR/VK/10.7.18-2P-7C

ORDER

IN

CRL OP (MD) No.11505 of 2018

Date : 10/07/2018