



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

Friday, the Twentieth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.12404 of 2018

1.BABU

2.K. ARAVIND GANESH

... PETITIONERS / ACCUSED No.1 and 2

Vs

THE INSPECTOR OF POLICE
THALLAKULAM POLICE STATION,
MADURAI.

Crime.No.754 of 2018

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.A.BALAJI 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 petitioners are arrayed as Accused Nos.1 and 2. They were arrested and remanded to judicial custody on 14.05.2018 for the offences punishable under Sections 392, 397 and 506(ii) IPC in Crime No.754 of 2018, on the file of the respondent police. They seek bail.

2.The learned Government Advocate (Crl.side) appearing for the respondent Police opposes grant on bail to the petitioners by pointing out involvement of the petitioners in a murder case registered by the very same respondent Police Station.

3.The learned counsel appearing for the petitioners submitted that the very purpose of registering case is to detain the petitioners under Goondas Act.

4.This Court went through the contents of the First Information Report. This Court is of the view that the case is a put up one.

5.Taking note of the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail with certain conditions. 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.2, Madurai.

(ii) the petitioners shall not abscond.

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

(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 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/-

20/07/2018

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

TO

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

+1. CC to Mr.A.BALAJI Advocate SR.No.13557

ORDER

IN

CRL OP(MD) No.12404 of 2018

Date : 20/07/2018