



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

Wednesday, the Twenty Fifth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.12756 of 2018

1 ANBU
2 SAMUTHIRAKANI

... PETITIONERS / ACCUSED
NOS.5 AND 9

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CRIME NO.592 OF 2018

... RESPONDENT/ COMPLAINANT

For Petitioners : MR.M.JOTHIBASU Advocate

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

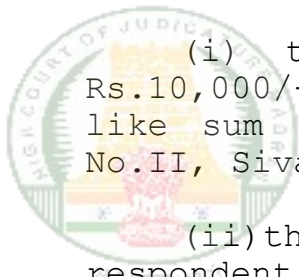
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.5 and 9. They were arrested and remanded to judicial custody on 25.05.2018 for the offences punishable under Sections 147, 148, 294(b), 342, 302, 120 (b) of IPC, in Crime No.592 of 2018, on the file of the respondent police. He seeks bail.

2.It appears that this Court had granted bail to A10 in this case. The petitioners are not having any previous case. The primary allegations are not against them. However, taking note of the fact that the victim hailed from Sivakasi, the petitioners are directed to stay at Madurai for a period of full 30 days. The counsel for the petitioners on instructions, undertakes that the petitioners will not apply for any modification or relaxation on the above condition after coming out on bail.

3.Recording the above undertaking, this Court is inclined to grant bail to the petitioners 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivakasi.

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

(iii) the petitioners shall stay at Madurai for a period of full 30 days.

(iii) 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/-
25/07/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SIVAKASI
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 5 THE OFFICER INCHARGE, DISTRICT PRISON, VIRUDHUNAGAR
- +1. CC to M/S.M.JOTHIBASU Advocate SR.No.13999

TM
GJM/CSL/SAR-2-26.7.18-2P-7C

ORDER
IN
CRL OP(MD) No.12756 of 2018
Date :25/07/2018