



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.12778 of 2018

KAVIYARASAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
Crime No 285 of 2018

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.R.RAMACHANDRAN 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 petitioner is arrayed as accused No.1. He was arrested and remanded to judicial custody on 10.07.2018 for the offences punishable under Sections 294(b), 353, 307 of IPC and Section 4 of TNPWH Act, in Crime No.285 of 2018, on the file of the respondent police. He seeks bail.

2.The counsel for the petitioner submits that the petitioner did not stop the vehicle when the police wanted him to stop and that is how this case came to be registered. Be that as it may, since the petitioner had acted in an unbecoming manner, 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, Melur, Madurai District.

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. for a period of 30 days.



(iii) the petitioner shall not apply for any modification or relaxation of the condition imposed on him. The learned counsel for the petitioner undertakes for the same.

(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/-
25/07/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT
2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
4. THE OFFICER INCHARGE,
BORSTAL SCHOOL, MELUR, MADURAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.R.RAMACHANDRAN Advocate SR.No.13934

ORDER
IN
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Date : 25/07/2018

MS/VR/VK/25.07.2018/2P-7C