



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

Monday, the Thirtieth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13441 of 2018

1 MURUGESAN
2 PETCHIRAJA

... PETITIONERS / ACCUSED
(RANK NOT KNOWN)

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
IN Crime NO.265 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.A.THIRUVADI KUMAR Advocate

For Respondent : Mr.CHELLAPANDIAN, Additional Advocate General
assisted by Mr.A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

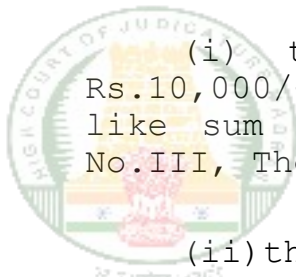
ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 20.07.2018 for the offences punishable under Sections 147, 148, 188, 436 I.P.C and Sections 3 and 4 of TNPPDL Act, in Crime No.265 of 2018 on the file of the respondent police. They seek bail.

2.Heard the learned counsel for the petitioners.

3.Today when the matter is taken up for hearing, the learned Additional Advocate General appearing for the State has showed the video clippings, in which, the second petitioner is seen wielding a wooden log. He is also seen covering his face with kerchief. Therefore, taking note of the violence, in which the second petitioner is seen to have indulged, this Court is not inclined to grant bail to the second petitioner. Accordingly, this Criminal Original Petition is dismissed as regards the second petitioner.

4.Taking note of the facts and circumstances, this Court is inclined to enlarge the first petitioner on bail with certain conditions. Accordingly, the first 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.III, Thoothukudi.

(ii) the first petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) the first 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 first petitioner in accordance with law as if the conditions have been imposed and the first 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/-
30/07/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
 3. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYMKOTTAI.
 4. THE INSPECTOR OF POLICE, SIPCOT POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.A.THIRUVADI KUMAR Advocate SR.No.14358

ORDER
IN
CRL OP(MD) No.13441 of 2018
Date : 30/07/2018

MS/MMS/SAR-2/30.07.2018/2P.7C