



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

Wednesday, the First day of August Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.13599 of 2018

R.SARATHKUMAR

... PETITIONER / SOLE ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.253 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.MALAIKANI 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 in judicial custody since 23.06.2018 for the offences punishable under Sections 294(b) and 302 IPC in Crime No.253 of 2018, on the file of the respondent police. He seeks bail.

2.The deceased is the petitioner's own brother. It appears that the deceased had come to the petitioner's house in inebriated condition and quarelled with the mother. Provoked by the same, the occurrence in question appears to have been committed.

3.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that investigation appears to be substantially over. The petitioner is having no previous case.

4.Taking into account the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail 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



No.I, Kovilpatti;

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

(iii) the petitioner shall not abscond; and

(iv) 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/-

01/08/2018

/ TRUE COPY /

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

MYR
TO

- 1 THE JUDICIAL MAGISTRATE NO-I
KOVILPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI
- 4 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.S.MALAIKANI Advocate SR.No.14743
PS/PN/SAR-2/02/08/2018:2P/7C

ORDER

IN

CRL OP(MD) No.13599 of 2018

Date : 01/08/2018