



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

Tuesday, the Thirty First day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13589 of 2018

1.PETCHIMUTHU

2.MUTHURAMALINGAM

... PETITIONER / ACCUSED RANK
NOT KNOWN

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
THOOTHUKUDI.

Crime No.287 of 2018

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.A.JOHN VINCENT Advocate

For Respondent : Mr.CHELLAPANDIAN Additional Advocate General for
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 26.07.2018 for the offences punishable under Sections 147, 148, 188, 436 I.P.C and Sections 3 and 4 of TNPPDL Act in Crime No.287 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 pointed out that the first petitioner is seen indulging in an act of violence. He has also played the relevant video clipping. Therefore, taking note of the act of violence, in which the first petitioner is seen to have indulged, this Court is not inclined to grant bail to the first petitioner Petchimuthu. Accordingly, this Criminal Original Petition is dismissed as regards the first petitioner.

4.There are no materials against the second petitioner Muthuramalingam. Taking note of the facts and circumstances, this Court is inclined to enlarge the second petitioner on bail with certain conditions. Accordingly, the second petitioner is ordered to be released on bail, subject to the following conditions;



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

(iii) the second 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 second petitioner in accordance with law as if the conditions have been imposed and the second 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/-
31/07/2018

/ 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. THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, THOOTHUKUDI.

4. THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.A.JOHN VINCENT Advocate SR.No.14496

ORDER
IN
CRL OP(MD) No.13589 of 2018
Date : 31/07/2018

TK/MMS/SAR 4/31.07.2018/2P-7C