



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

Thursday, the Second day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13697 of 2018

KANNAN

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.125/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.S.JEYAKARTHIK Advocate

For Respondent : Mr.A.ROBINSON, Government Advocate(Crl.Side)

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

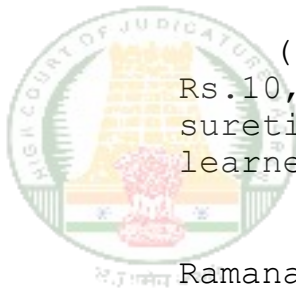
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, is in custody since 23.07.2018 for the offence under Section 436 IPC in Crime No.125 of 2018, on the file of the respondent Police and seeks bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3. The properties of the de facto complainant worth about Rs.5,00,000/- has been burnt. The petitioner was arrested on suspicion. Against the petitioner, the de facto complainant has given one earlier case. In the circumstances, if the petitioner continued to incarceration it cannot aid the investigation. But, it is better that he stays away from Ramanathapuram District for a period of 30 days.

4. The learned counsel for the petitioner undertakes that the petitioner will stay outside the Ramanathapuram District for a period of 30 days. He further undertakes that the petitioner shall not apply for relaxation or modification on this condition. Recording the said undertaking, 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) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Ramanathapuram.

(ii) the petitioner shall stay away from the Ramanathapuram District for a period of 30 days. If the petitioner entered into the Ramanathapuram District, the order of bail granted to the petitioner shall stand cancelled. After a period of 30 days, the petitioner shall appear before the respondent Police as and when required for interrogation.

(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/-
02/08/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL,
RAMANATHAPURAM.
4. THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION, RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.M.S.JEYAKARTHIK Advocate SR.No.14824

ORDER
IN
CRL OP(MD) No.13697 of 2018
Date :02/08/2018

MS/PN/SAR-2/02.08.2018/2P.7C