



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

Monday, the Twenty Seventh day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.15170 of 2018

1.GURUBHARANI

2.ARUN RAJA@JOKER RAJA@RAJA

... PETITIONERS / ACCUSED
RANK NOT KNOWN

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
THOOTHUKUDI
Crime No.241 of 2018

... RESPONDENT/ COMPLAINANT

For Petitioners : Mr.L.SHAJI CHELLAN Advocate

For Respondent : Mr.OHM CHAIRMA PRABHU Public Prosecutor

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

ORDER : The Court Made the following order :-

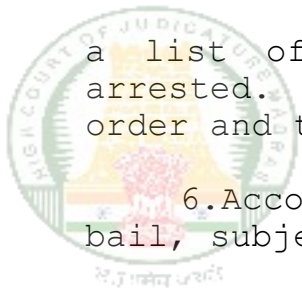
The petitioners herein were arrested on 14.06.2018, for offences under Sections 147, 148, 188 of IPC and Section 3 of TNPPDL Act, in Crime No.241 of 2018, on the file of the respondent police. They seek bail.

2.The petitioners were detained under the Goondas Act. Subsequently, detention order was set aside by this Court.

3.Taking note of the period of incarceration undergone by the petitioners herein, this Court is inclined to grant bail to the petitioners.

4.The Counsel for the petitioners expressed his apprehension that the bail order may be frustrated by impleading the petitioners in other cases. It is made clear that if the police intend to arrest the petitioners in other cases, notice shall be given under Section 41(A) of Cr.P.C., so that the petitioners will have time to move this Court for relief.

5.It is also submitted that the petitioners had been arrested on the basis of Prisoner's Transfer warrants in other cases also. At the time of furnishing of sureties, the prosecution shall furnish



a list of cases in which the petitioners have been shown as arrested. The Trial Court Magistrate shall issue a common release order and the prison authorities are bound to comply with the same.

6. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two common sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thoothukudi.

(ii) the petitioners are directed to 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 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/-

27/08/2018

/ 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.L.SHAJI CHELLAN Advocate SR.No.16165

ORDER

IN

CRL OP(MD) No.15170 of 2018

Date : 27/08/2018

TK/PN/SAR.2/27.08.2018/2P-7C

<https://hcservices.ecourts.gov.in/hcservices/>