



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.15218 of 2018

R.RAMAR

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
Crime No.244/2018

... RESPONDENT/ COMPLAINANT

For Petitioner : 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 :-

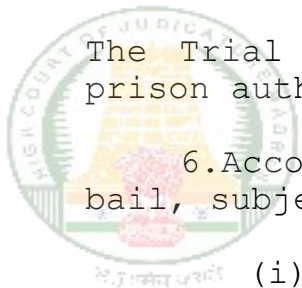
The petitioner herein was arrested on 26.07.2018 and remanded to Judicial custody on 27.07.2018, for offences under Sections 147, 148, 353, 436, 188 of IPC and Section 3 and 4 of TNPPDL Act, in Crime No.244 of 2018, on the file of the respondent police. He seeks bail.

2.The petitioner was 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 petitioner herein, this Court is inclined to grant bail to the petitioner.

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

5.It is also submitted that the petitioner 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 petitioner has been shown as arrested.



The Trial Magistrate shall issue a common release order and the prison authorities are bound to comply with the same.

6. 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.III, Thoothukudi.

(ii) the petitioner is 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 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/-
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,
THOOTHUKUDI DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.L.SHAJI CHELLAN Advocate SR.No.16164

ORDER
IN
CRL OP(MD) No.15218 of 2018
Date : 27/08/2018