



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

Tuesday, the Twenty First day of August Two Thousand and Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP (MD) No.14775 of 2018

SIVAKUMAR

... PETITIONER / ACCUSED NO.2

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
KULATHUR POLICE STATION,
TUTICORIN DISTRICT.
(CRIME NO.46 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.MAYILVAHANA RAJENDRAN, Advocate.

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 11.06.2018 for the offences punishable under Sections 3 of Explosive Substance Act, 1908 and Section 4 of TNPPDL Act, 1992 @ Sections 307 and 436 I.P.C, in Crime No.46 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 26.05.2018 at about 1.15 a.m due to protest against the functioning of Sterlite Company, the petitioner along with others came to the Police Station by Motorcycle and hurled petrol bomb on the iron gate of the police station. Hence, the case has been registered.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent. He did not commit any offence as alleged by the prosecution. He further stated that the petitioner was detained under Goondas Act and the same was set aside by this Court in H.C.P(MD).No.985 of 2018 on 11.07.2018. He is in incarceration from 11.06.2018 onwards. Hence, he prays for bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that investigation is still pending.



5. Considering the facts and circumstances and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. 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, Vilathikulam.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders.

sd/-
21/08/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
VILATHIKULAM.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.

3. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.

4. THE INSPECTOR OF POLICE,
KULATHUR POLICE STATION,
TUTICORIN DISTRICT.

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

+1. CC to M/S.C.MAYILVAHANA RAJENDRAN, Advocate, SR.No.15848.
ORDER
IN
CRL OP (MD) No.14775 of 2018
Date : 21/08/2018

RAM/PN/SAR 1/21.08.2018/2P/7C