



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.9686 of 2019

Megalingadurai

... Petitioner/Accused 1

Vs

State rep by

The Inspector of Police,
Pudukottai Police Station,
Thoothukudi, Thoothukudi District
Crime No 121 of 2019

... Respondent/Complainant

For Petitioner : M/s.S.Muthumalairaja,
Advocate.

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

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

PRAYER :-

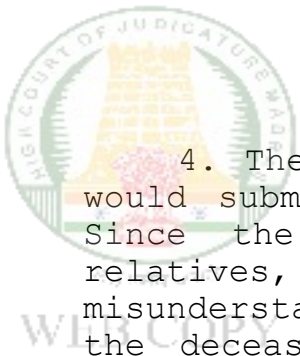
For Bail in Crime No. 121/2019 on the file of the Respondent police

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ accused No.1, seeking bail for the alleged offence punishable under Sections 341, 294(b), 342, 302 and 506(ii) of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit that due to previous enmity, the defacto complainant has lodged a complaint against the petitioner herein. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 04.05.2019. He further submitted that by this time investigation might have been completed. Therefore he prayed to grant bail to the petitioner.



4. The learned Additional Public Prosecutor for the respondent would submit that the deceased is the defacto complainant's son. Since the petitioner's wife and the defacto complainant are relatives, they used to meet frequently. Due to some misunderstanding, the petitioner along with other accused attacked the deceased with deadly weapons and caused to death. Hence he strongly opposed to grant bail to the petitioner.

5. Taking into consideration of the fact that the petitioner is in custody from 04.05.2019 and also the fact that already A2 was released on bail and by this time major part of the investigation might have been completed, this Court is inclined to grant bail to the petitioner by imposing conditions:

[a] the petitioner is ordered to be released on bail on his executing 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.

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m for a period of one month and thereafter, as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trail.

[e] On breach of any of the aforesaid conditions, the learned 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 learned 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/07/2019

/ TRUE COPY /

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

TO

<https://hcservices.ecourts.gov.in/hcservices/>
1. The Judicial Magistrate No.III,
Thoothukudi.



2.Do-Through The Chief Judicial Magistrate,
Thoothukudi District.

3.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi,Thoothukudi District

4.The Officer Incharge,
The Paroorani Jail, Thoothukudi.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S,MUTHU MALAI RAJA, Advocate (SR-11291[I] dated
09/07/2019)

ORDER

IN

CRL OP(MD) No.9686 of 2019

Date : 09/07/2019

das

TK/PN/SAR.2/09.07.2019/3P/7C