



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2019

PRESENT

The Hon'ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.11952 of 2019

Murugan, ... Petitioner/1st Accused

Vs

State represented by
The Sub Inspector of Police,
Kottar Police Station,
Kanyakumari District.
in Crime No. 101/ 2019 .

... Respondent/Complainant

For Petitioner : M/s. S. Sureskumar,
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. 101 of 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 170
and 420 of IPC r/w section 3 and 5 of The Emblems & Names
(prevention of Improper Use) Act, 1950, in Crime No.101 of 2019.

2.Heard both sides.

3.The learned counsel appearing for the petitioner has
submitted that the petitioner is an innocent and he has been falsely
implicated in the above case. He further submitted that already A8
was granted bail by the learned Judicial Magistrate. He further
submitted that the petitioner has been arrested and remanded to
judicial custody on 01.08.2019 and from that date onwards he is in
custody. He further submitted that by this time the investigation



might have been completed and hence, he prayed for grant of bail to the petitioner.

4.Per contra, the learned Additional Public Prosecutor appearing for the respondent police has submitted that the investigation is still pending and hence, he opposed this petition.

5.Taking into consideration of the fact that the petitioner is in custody from 01.08.2019 and no bad antecedent is reported against the petitioner and also the fact that already A8 was granted bail by the learned Judicial Magistrate, 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.II, Nagercoil.

[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 trial.

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

[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].

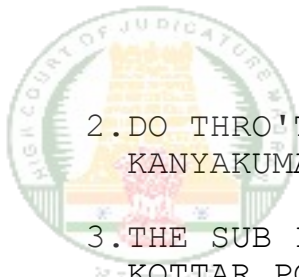
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
27/08/2019

/ TRUE COPY /

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

TO
1.THE JUDICIAL MAGISTRATE NO.II, NAGERCOIL.



2.DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.

3.THE SUB INSPECTOR OF POLICE,
KOTTAR POLICE STATION,
KANYAKUMARI DISTRICT.

4.THE SUPERINTENDENT,
SUB JAIL, NAGERCOIL.

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

+1 CC to M/s.S.SURESHKUMAR, Advocate (SR-14081[I] dated
27/08/2019)

ORDER
IN
CRL OP(MD) No.11952 of 2019
Date :27/08/2019

vsg
AE/JC/SAR-I (28.08.2019) 3P 7C