



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

Date : 06/09/2019

PRESENT

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

CRL OP(MD). No.12450 of 2019

WEB COPY

1. M.Prakash
2. RamaChandran
3. A.Vijai
4. B.Vinoth Pandi ... Petitioners/Accused Nos. 2 to 5
Vs

State Sub Inspector of Police,
Muthayapuram Police Station,
Thoothukudi Distrit.
Crime No.273 of 2019. ... Respondent/Complainant

For Petitioners : M/s.K.Suresh,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.273 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioners were arrested and remanded to custody on 21.08.2019 for the offences under Sections 147, 148, 294(b), 323, 364 and 506(2) of IPC. Hence, they seek bail.

3.Co-accused have been granted anticipatory bail. The petitioners are not having any previous case.

4.Taking note of these aspects, I am inclined to grant bail to the petitioners. Accordingly, they are enlarged 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) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Thoothukudi.

(ii) the petitioners shall appear before the respondent police as and when required for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

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

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

sd/-

06/09/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI.

2 -DO-THRO-THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3. THE OFFICER IN CHARGE, DISTRICT JAIL, PERURANI.

4 THE SUB INSPECTOR OF POLICE
MUTHAYAPURAM POLICE STATION, THOOTHUKUDI DISTRICT.

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

+2 CC to M/s.K.SURESH, Advocate (SR-14941[I] dated 06/09/2019)

ORDER IN

CRL OP(MD) No.12450 of 2019

Date : 06/09/2019

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<https://hservices.mca.gov.in/hservices/2019/8C/2P>