



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

Date : 12/09/2019

PRESENT

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

CRL OP(MD). No.12642 of 2019

John Kennady

... Petitioner/Accused Rank not known

Vs

The State rep.by

The Inspector of Police,

Sivagangai Town Police Station,

Sivagangai District.

in Crime No.334 of 2019.

... Respondent/Complainant

For Petitioner : M/s.N.Ilango,
Advocate.

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

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

ORDER : The Court made the following order :-

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

2. The petitioner is in custody since 14.07.2019 for the offences punishable under sections 147, 148, 294(b), 323, 324 and 506(ii) of I.P.C., @ Sections 147, 148, 294(b), 323, 324, 506(2), 307, 120(b) and 302 of IPC in Crime No. 334 of 2019 on the file of the respondent police. He seeks bail.

3.The petitioner is not having any previous case. The specific overt act attributed to him is that he kept watch on the movements of the deceased and informed the principal accused.

4.Taking note of the limited role played by the petitioner herein, I am inclined to grant bail to him. Accordingly, he is enlarged 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.I,



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

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

(iv) the petitioner 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 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].

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

sd/-
12/09/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.

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

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.

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

+1 CC to M/s.N.TAMILMANI, Advocate (SR-15260[I] dated 12/09/2019)

ORDER IN
CRL OP(MD) No.12642 of 2019
Date :12/09/2019

RMI

<https://hcservices.ecgovernance.gov.in/hcservices> 2019/2P/7C