

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.12675 of 2019

1. Ramachandran,

2. Periyasamy, Petitioners/Accused No.3 & 4

Vs

The State rep by
The Inspector of Police,
Melur Police Station, Madurai District.
(Crime No.121/ 2019). Respondent/Complainant

For Petitioner : M/s. M. Palaniraja,
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.121 of 2019 on the file of the respondent

ORDER : The Court made the following order :-

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

2.The petitioners are in custody since 19.08.2019 for the offences punishable under sections 294(b), 323, 506(ii) and 302 of IPC r/w Section 4 of TNPWH Act @ 294(b), 323, 506(i) and 302 of IPC and Section 4 of TNPWH Act in Crime No.121 of 2019 on the file of the respondent police. They seek bail.

3. They have been shown as A3 and A4 in Crime No.121 of 2019 registered on the file of the respondent. They were originally granted anticipatory bail. But later on, it was cancelled. The occurrence had taken place way back on 21.02.2019. Investigation must be over by now. Hence, bail is granted. Accordingly, the petitioners are ordered to be released 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, Melur, Madurai District .

(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/-

12/09/2019

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

TO

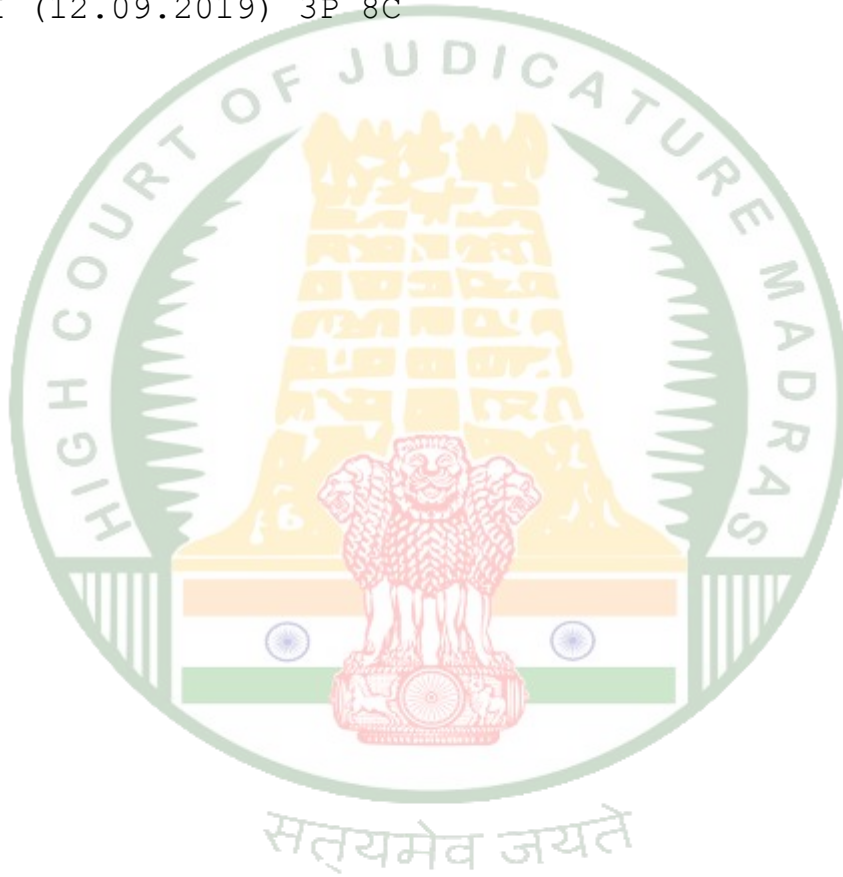
1. The Judicial Magistrate, Melur, Madurai.
2. The Chief Judicial Magistrate, Madurai.
3. The Inspector of Police,
Melur Police Station, Madurai District.
4. The Superintendent, Central Prison, Madurai.

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

+2CC TO MR.M.PALANI RAJA, Advocate Sr. No. 15266

ORDER
IN
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