



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

Date : 16/09/2019

PRESENT

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

CRL OP(MD). No.12712 of 2019

WEB COPY

1. Suseela

2. Kandagirivasan ... Petitioners/Accused Nos. 2 & 1

Vs

The State rep.by,
The Inspector of Police,
Kabistharam Police Station,
Thanjavur District
(Crime No.178 of 2019). ... Respondent/Complainant

For Petitioner : M/s.N.Anandakumar,
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.178 of 2019 on the file of the Respondent Police.

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 arrayed as accused Nos.2 and 1. They were arrested and remanded to Judicial Custody on 14.08.2019 for the offences punishable under section 174 of Cr.P.C., @ Sections 148, 201 and 302 of I.P.C., in Crime No.178 of 2019 on the file of the respondent police. They seek bail.

3. The learned counsel appearing for the petitioners seeks withdrawal of this petition as against the second petitioner/Kandagirivasan. Hence, this Criminal Original petition is dismissed as far as the second petitioner is concerned.



4. The first petitioner is the mother of the deceased.

5. Taking note of the facts and circumstances of this case, I am inclined to enlarge the first petitioner on bail with certain conditions. Accordingly, the first petitioner is ordered to be released on bail, subject to the following conditions;

(i) the first 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 District Munsif cum Judicial Magistrate, Papanasam.

(ii) the first petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the first petitioner in accordance with law as if the conditions have been imposed and the first 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].

6. This Criminal Original petition stands partly allowed.

sd/-
16/09/2019

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PAPANASAM.

2. -DO-THRO-THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT

4 THE SUPERINTENDENT
SPECIAL PRISON FOR WOMEN, TRICHY.

