



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

Date : 20/09/2019

PRESENT

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

CRL OP(MD). No.13166 of 2019

WEB COPY

1. Rajaraman
2. Chandrasekar ... Petitioners/Accused Nos. 9, 10

Vs

The State Rep.by
The Inspector of Police,
Udaiyalipatty Police Station,
Pudukkottai District.
(Crime No.138 of 2018). ... Respondent/Complainant

For Petitioners : M/s.K.Baalasundharam,
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.138 of 2018 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 first petitioner Rajaraman has been detained under Tamil Nadu Act 14 of 1982. Hence, this criminal original petition is dismissed as far as first petitioner is concerned.

3. The second petitioner is figuring as A10. The second petitioner is in custody since 06.08.2019 for the offences punishable under sections 147, 148, 294(b), 324 and 302 of I.P.C., in Crime No.138 of 2018 on the file of the respondent police. He seeks bail.

4.Even according to the prosecution, the second petitioner Chandrasekar did not cause the death of the deceased. He had only

<https://hccservices.hccs.gov.in/hccservlet>



5. Taking note of these aspects, I am inclined to enlarge the second petitioner on bail with certain conditions. Accordingly, the second petitioner is ordered to be released on bail, subject to the following conditions;

(i) the second 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, Keeranur.

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

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

(iv) the second 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 second petitioner in accordance with law as if the conditions have been imposed and the second 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/-
20/09/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
KEERANUR.

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

3 THE OFFICER IN CHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE
UDAIYALIPATTY POLICE STATION,
PUDUKKOTTAI DISTRICT

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



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+1 CC to M/s.K.BAALASUNDHARAM, Advocate
(SR-15962[I] dated 20/09/2019)

ORDER

IN

CRL OP(MD) No.13166 of 2019

Date :20/09/2019

ES/PN/SAR 3/20.09.2019/3P/7C