



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

Date : 25/09/2019

PRESENT

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

CRL OP (MD) . No.13385 of 2019

Makesh, ... Petitioner/Accused No.1

Vs

The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
(Crime No.167 of 2019) ... Respondent/Complainant

For Petitioner : M/s. K.M. Karunakaran,
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.167 of 2019 on the file of the respondent.

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 figuring as the first accused. He was arrested and remanded to Judicial Custody on 16.07.2019, for the offences punishable under Sections 294(b), 324 and 506(2) of I.P.C., in Crime No.167 of 2019, on the file of the respondent police. Later following the death of the victim, the offences under Section 302 of IPC was also added.

3.On going through the First Information Report, it is seen that the occurrence took place more out of domestic quarrel. The petitioner is not having any previous case. Investigation appears to be submitted on file over.

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4. Taking note of the over all circumstances, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released 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 Judicial Magistrate No.II, Kumbakonam.

(ii) the 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 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].

sd/-
25/09/2019

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

TO

1. Judicial Magistrate No.II, Kumbakonam.
2. Do-Through The Chief Judicial Magistrate,
Thanjore District.
3. The Superintendent, Central Prison, Trichy.
4. The Inspector of Police,
Swamimalai Police Station, Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.K.M.KARUNAKARAN, Advocate Sr. No.16304

ORDER IN
CRL OP (MD) No.13385 of 2019
Date : 25/09/2019

TR/PN/SAR-I (25.09.2019) 2P 7C

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