



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/12/2019

PRESENT

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

CRL OP(MD) . No.18907 of 2019

1. Dinesh,

2. Karthick Kumar @ Karthick, ... Petitioners/Accused No.1 & 2

Vs

The Inspector of Police,
Karimedu Police Station, Madurai City,
Ref Crime No.1090/2019. ... Respondent/Complainant

For Petitioner : M/s. M. Murali,
Advocate.

For Respondent : M/s.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.1090 of 2019 on the file of the Respondent

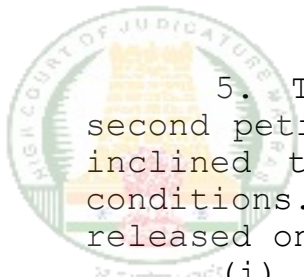
ORDER : The Court made the following order :-

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

2. The petitioners are arrayed as accused Nos.1 and 2. They were arrested and remanded to Judicial Custody on 19.11.2019 for the offences punishable under sections 294(b), 324, 307 and 506(ii) of I.P.C., in Crime No.1090 of 2019 on the file of the respondent police. They seek bail.

3. The victim was hacked on the head by the first petitioner while the second petitioner attacked him on his palm with weapon.

4. Taking note of the serious allegations against the first petitioner, the petitioner's counsel withdraws this criminal original petition as far as he is concerned. The criminal original petition stands dismissed as withdrawn as regards the first



5. The victim has been discharged from the hospital. The second petitioner is not having any previous case. Therefore, 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 No.V, Madurai.

(ii) the second 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 petitioners 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].

6. The criminal original petition stands allowed as far as the second petitioner is concerned.

sd/-
17/12/2019

/ TRUE COPY /

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

TO

1. The Judicial Magistrate No.V, Madurai.
2. The Chief Judicial Magistrate, Madurai.
3. The Superintendent, Central Prison, Madurai.
4. The Inspector of Police,
Karimedu Police Station, Madurai City,
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.MURALI, Advocate (SR-22053[I] dated 17/12/2019)

ORDER IN
CRL OP(MD) No.18907 of 2019
Date : 17/12/2019

TR(17.12.2019) 2P 7C