



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

Date : 10/01/2020

PRESENT

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

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CRL OP(MD). No.377 of 2020

Jothivel @ Shanmuga Jothivel ... Petitioner/Accused No.6

Vs

State Represented by
The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
(Crime No.221/2019).

... Respondent/Complainant

For Petitioner : M/s.A.Thiruvadi Kumar,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in P.R.C.No. 76/2019 on the file of the Judicial Magistrate No.III, Thoothukudi, Thoothukudi District.

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 in custody since 29.07.2019, for the offences under Sections 147, 148, 341, 294(b), 302 and 506(ii) of I.P.C., in Crime No.221 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. The petitioner's counsel states that the co-accused have already been granted bail and that the committal proceedings have already been completed.

4. The learned Government Advocate (Crl. Side) states that the petitioner is having four previous cases out of which one is murder case.



5. However, the persons granted bail were similarly placed. Hence, 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;

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(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.III, Thoothukudi.

(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/-
10/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3 THE OFFICER IN CHARGE,
DISTRICT JAIL, PERURANI, THOOTHUKUDI DISTRICT.
- 4 THE INSPECTOR OF POLICE
PUBUDKKOTTAI POLICE STATION, THOOTHUKUDI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.THIRUVADIKUMAR, Advocate (SR-685 dated 10/01/2020)

ORDER
IN
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Date :10/01/2020

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