



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

Date : 08/01/2020

PRESENT

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

WEB COPY

CRL OP(MD). No.254 of 2020

U.Jayakumar

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Thallakulam (Crime) Police Station,
Madurai District.
Crime No.1924/2019.

... Respondent/Complainant

For Petitioner : M/s.P.Gunasekaran,
Advocate.

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

For Intervener : Mr.M.Ramesh, Advocate

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

PRAYER :-

For Bail in Crime No. 1924/2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the intervener and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner is in custody since 24.11.2019, for the offences under Sections 406 and 420 of I.P.C., in Crime No.1924 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. I am dissatisfied with the investigation conducted by the Inspector of Police, Thallakulam (Crime) Police Station. I have passed a detailed order on 19.12.2019 in Crl.O.P.(MD)No.19008 of 2019. Yet no further steps have been taken. Therefore, the Assistant Commissioner, Thallakulam (Crime) Police Station is directed to personally look into the matter and file status report on 20.01.2020.



4. The petitioner's counsel states that the petitioner's health condition is quite bad. The petitioner counsel on instructions gives an undertaking that the petitioner will deposit a sum of Rs.5,00,000/- to the credit of Crime No.1924 of 2019 before the Jurisdictional Magistrate within ten days after coming out on bail. The said amount will be disbursed by the Jurisdictional Magistrate to the victims on pro rata basis.

5. Recording the said undertaking, 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, Madurai.

(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].

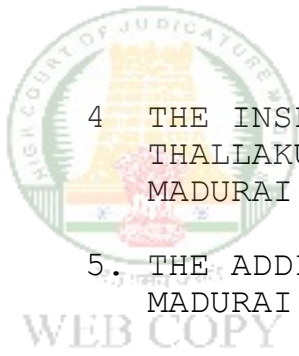
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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
MADURAI
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.



4 THE INSPECTOR OF POLICE
THALLAKULAM (CRIME) POLICE STATION,
MADURAI DISTRICT.

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

Copy To:

THE ASSISTANT COMMISSIONER,
THALLAKULAM (CRIME) POLICE STATION, MADURAI.

+1. CC to M/S.S.P.GUNASEKARAN, Advocate SR.No.423

ORDER
IN
CRL OP(MD) No.254 of 2020
Date :08/01/2020

IAS
ES/VR/SAR 2/08.01.2020/3P/8C