



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

Date : 09/01/2020

PRESENT

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

CRL OP(MD). No.265 of 2020

Pandivelu

... Petitioner/Accused No.3

Vs

The State rep.by
The Inspector of Police,
Alagappapuram Police Station,
Karaikudi, Sivagangai District.
Crime No.98/2019

... Respondent/Complainant

For Petitioner : M/s.V.Angusamy,
Advocate.

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

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

PRAYER :-

For Bail in Crime No. 98/2019 on the file of the Respondent Police.

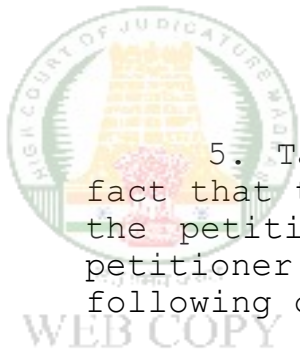
ORDER : The Court made the following order :-

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 25.11.2019, for the offences under Section 302 of I.P.C., in Crime No.98 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. The petitioner is figuring as the third accused. It is stated that bail has been granted for the co-accused.

4. The learned Government Advocate (Crl. Side) states that the petitioner is having a number of previous case. But then most of them are only under Section 506(ii) of I.P.C. In the case on hand, the overt act attributed to the petitioner is that he drove the vehicle in which the deceased was abducted.



5. Taking note of the role played by the petitioner and the fact that the co-accused were granted bail, 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, Karaikudi.

(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/-
09/01/2020

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

TO

- 1.THE JUDICIAL MAGISTRATE, KARAISKUDI.
- 2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4.THE INSPECTOR OF POLICE,
ALAGAPPAPURAM POLICE STATION,
KARAISKUDI, SIVAGANGAI DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.ANGUSAMY Advocate SR.No.493

ORDER
IN
CRL OP(MD) No.265 of 2020
Date :09/01/2020

IAS
TK/PN/SAR.1/09.01.2020/2P/7C