



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2020

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PRESENT

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

CRL OP(MD). No.252 of 2020

MAHESH

... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
KULASEKHARAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.243/2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.C.Kishore,
Advocate.

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

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

PRAYER :-

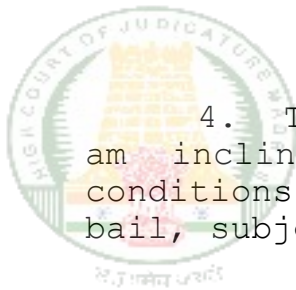
For Bail in Crime No. 243/2019 on the file of the Respondent Police.

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 15.11.2019 for the offences punishable under section 174 of Cr.P.C., @ 306 of I.P.C., in Crime No.243 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner is the husband of the deceased. Their marriage took place recently and it appears that the deceased went into a depression on account of the addiction of the petitioner to liquor. Be that as it may, the continued incarceration of the petitioner is not going to serve any purpose.



4. Taking note of the facts and circumstances of this case, 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 learned Judicial Magistrate No.II, Padmanabhapuram.

(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/-
08/01/2020

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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.II,
PADMANABHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
KULASEKHARAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.KRISHORE, Advocate (SR-460[I] dated 08/01/2020)

ORDER
IN
CRL OP(MD) No.252 of 2020
Date :08/01/2020

RMI
JM/PN/SAR 2/08.01.2020/2P/7C

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