



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

Date : 08/01/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.311 of 2020

CHARLES ... PETITIONER/1st ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT,
CRIME NO.472/2019. ... RESPONDENT/COMPLAINANT

For Petitioner : M/s.K.Sathish Kumar,
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.472 of 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 19.12.2019 for the offences punishable under sections 4(1)(a), 4(1)(i), 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.472 of 2019 on the file of the respondent police. He seeks bail.

3. I had granted anticipatory bail to the co-accused after recording a prima facie finding that the very registration of the FIR appears to be mala fide. I had also called for detail report
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Independent of Police.



4. Even according to the prosecution, the petitioner is not having any previous case. Since the petitioner is a tenant under A3 with whom the local Inspector had some issues, the petitioner appears to be victim of a cross-fire.

5. 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, Paramakudi, Ramanthapuram District.

(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,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANTHAPURAM.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-396[I] dated
08/01/2020)

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ORDER

IN

CRL OP(MD) No.311 of 2020

Date :08/01/2020

RMI

JM/VR/SAR 2/08.01.2020/3P/7C