



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.360 of 2020

MURUGESAN

... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
PEW, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.1016/2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s. K. Vinayagan,
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. 1016/2019 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 03.12.2019, for the offences under Section 4(1-A) of Tamilnadu Prohibition Act, in Crime No.1016 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. The learned Government Advocate (Crl. Side) opposed the grant of bail by pointing out that in the contraband poisonous substance was found and the analysis report is to that effect. She also points out that the petitioner is having four previous cases.

4. Even though the objections of the learned Government Advocate (Crl. Side) are strong, the continued incarceration of the petitioner is not going to serve any purpose. 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;

(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, Rajapalayam.

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

TO

- 1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
PEW, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
- 4 THE SUPERINTENDENT,
SUB JAIL, SRIVILLIPUTHUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.VINAYAGAN, Advocate (SR-567[I] dated 09/01/2020)

ORDER
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IAS
JM/VR/SAR 1/09.01.2020/2P/7C

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