



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 10/01/2020

PRESENT

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

CRL OP(MD). No.494 of 2020

Hariharan

... Petitioner/Accused No.9

Vs

State Rep.by  
The Inspector of Police,  
Avaniyapuram Police Station,  
Madurai District.  
(In Crime No.251/2019)

... Respondent/Complainant

For Petitioner : M/s.S.Sankar,  
Advocate.

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

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

**PRAYER :-**

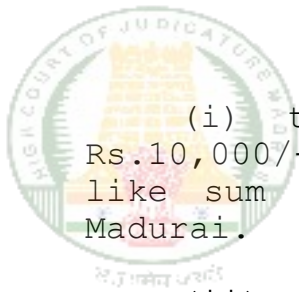
For Bail in S.C.No. 388/2019 on the file of the IV Additional District and Sessions Judge, Madurai.

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 17.03.2019, for the offences under Sections 147, 148, 294(b), 302, 307 and 506(ii) of I.P.C., in Crime No.251 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. The petitioner was detained as "Goonda". But then those proceedings have since been quashed. The petitioner is having one previous case that is under Section 307 of I.P.C. Investigation appears to be fully over and the case is taken on file in S.C.No.388 of 2019, on the file of the learned District and Sessions Court, Madurai. 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 No.VI, 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].

sd/-  
10/01/2020

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.VI, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,  
AVANIYAPURAM POLICE STATION, MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SANKAR Advocate SR.No.696

ORDER  
IN  
CRL OP(MD) No.494 of 2020  
Date :10/01/2020

MS/PN/SAR-4/10.01.2020/2P.7C