



WEB COPY

Crl OP(MD)No.617 of 2020 :

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) . Nos.617 & 626 of 2020

Crl OP(MD)No.617 of 2020 :

MOHAMMAD ATHIL

... PETITIONER /ACCUSED (RANK NOT KNOWN)

VS.

STATE, THROUGH THE
THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.6/2020.

... RESPONDENT/COMPLAINANT

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

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

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

PRAYER :- For Bail in Crime No. 6 of 2020 on the file of the
respondent police.

Crl OP(MD)No.626 of 2020 :

1.MOHAMMAD ATHICK
2.MOHAMMAD ALI (BABA)

... PETITIONERS/ACCUSED A1 & A2

VS.

STATE, THROUGH THE
THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.6/2020.

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.R.Babu Jaganath, Advocate.

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

<https://hcservices.ecourts.gov.in/hcservices/>



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

PRAYER :- For Bail in Crime No. 6 of 2020 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioners are in judicial custody for the offences under Sections 147, 148, 342, 294(b), 323, 324, 506(ii) 364 and 307 of IPC. They seek bail.

3.The case of the defacto complainant is that in order to pressurize him to settle an issue, he was abducted by the petitioners herein along with others. He was made part with certain money. The defacto complainant was also badly assaulted and injured.

4.The learned Government Advocate (Crl.side) would point out that Al Mohammad Athick is having as many as six previous cases to his credit. Therefore, I am not inclined to grant bail to the first accused.

5.However, taking note of the facts and circumstances of the case, I am inclined to enlarge the petitioner in Crl OP(MD)No.617 of 2020, namely, Mohammad Athil and the second petitioner in Crl OP(MD) No.626 of 2020, namely, Mohammad Ali, on bail with certain conditions. Accordingly, they are ordered to be released on bail, subject to the following conditions;

(i) they 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.II, Ramanathapuram District.

(ii)They are 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 them in accordance with law as if the conditions have been imposed and they 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].



6.Crl OP(MD)No.617 of 2020 is allowed and Crl OP(MD)No.626 of 2020 is partly allowed.

sd/-
10/01/2020

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM DISTRICT
 - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 - 3 THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
 - 4 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.S.KARTHIKEYAN, Advocate (SR-687[I] dated 10/01/2020)

ORDER
IN
CRL OP(MD) Nos.617
& 626 of 2020
Date :10/01/2020

SKM
JM/PN/SAR 4/10.01.2020/3P/7C