



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/01/2020

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PRESENT

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

CRL OP(MD). No.1242 of 2020

NICHOLAS KAVIMANI

... PETITIONER/ACCUSED NO.3

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THALAMUTHU NAGAR POLICE STATION,
THALAMUTHUNAGR,
THOOTHUKUDI DISTRICT
CRIME NO.307/2019.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.N.Pragalathan,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

for bail in Crime No. 307 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 01.12.2019 for the offence punishable under section 302 of I.P.C., in Crime No.307 of 2019 on the file of the respondent police. He seeks bail.

3. On going through the contents of the FIR, it is seen that the deceased had an issue only Al-Natarajan. In fact, the allegations are directed against Al-Natarajan and his son Mariselvam. Even according to the prosecution, the petitioner is said to have assaulted only with bare hands. The petitioner is not



4. 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.2, Thoothukudi, Thoothukudi 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/-
27/01/2020

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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,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE
THALAMUTHU NAGAR POLICE STATION,
THALAMUTHUNAGR, THOOTHUKUDI DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT JAIL, PERAVURANI,
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-1522[I] dated 27/01/2020)

ORDER
IN
CRL OP(MD) No.1242 of 2020
Date :27/01/2020

RMI
JM/VR/SAR 4/27.01.2020/2P/7C

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