



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

Date : 24/02/2020

PRESENT

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

CRL OP(MD). No.1562 of 2020

K.Padmanaban

... Petitioner/Accused No.4

Vs

The State rep.by
The Inspector of Police,
Thalaimuthunagar Police Station,
Tuticorin District.
Crime No.307/2019.

... Respondent/Complainant

For Petitioner : M/s.V.Malaiyendran,
Advocate.

For Respondent : Mr.M.Ananthadevi,
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

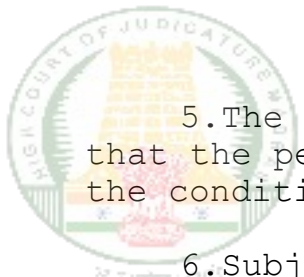
ORDER : The Court made the following order :-

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 21.01.2020 for the
offences punishable under sections 302 of IPC altered into 302 of
I.P.C., read with 109, 120(b) of IPC in Crime No.307 of 2019 on the
file of the respondent police. He seeks bail.

3. The learned Government Advocate states that it was the
petitioner who instigated the commission of the crime and that he
had supplied money.

4. Considering the role played by the petitioner, I am inclined
to grant relief to the petitioner. However, the petitioner shall
stay only in Madurai for a period of eight more weeks and sign daily
before the Othakadai Police Station located in High Court campus.



5.The learned counsel for the petitioner gives an undertaking that the petitioner will not apply for modification or relaxation of the conditions now imposed.

6.Subject to these conditions and recording the petitioner's undertaking, 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 No.II, Tuticorin.

(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/-
24/02/2020

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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, TUTICORIN.
- 2.THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3.THE INSPECTOR OF POLICE,
THALAIMUTHUNAGAR POLICE STATION,TUTICORIN DISTRICT.
- 4.THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION, OTHAKADAI.
- 5.THE OFFICER INCHARGE
DISTRICT JAIL, PERURANI, TUTICORIN DISTRICT.
- 6.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.MALAIYENDRAN Advocate SR.No.3827

ORDER IN
CRL OP(MD) No.1562 of 2020
Date :24/02/2020