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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 31/01/2020
PRESENT
The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.1628 of 2020

1. Karthikeyan,
2. Vignesh, ... Petitioners/Accused Nos. 1 & 2

Vs

The State rep.by
The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District,
Crime No.2 of 2020. ... Respondent/Complainant

For Petitioners : M/s.B.Jameel Arasu,
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.2 of 2020 on the file of the Respondent Police.

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 custody since 07.01.2020 for the offences punishable under sections 342, 294(b), 506(2), 307 of IPC r/w Section 3(1) of TNPPDL Act and 5 of Indian Explosive Substance Act, 1908, in Crime No.2 of 2020 on the file of the respondent police. They seek bail.

3. The learned Government Advocate (Crl.side) submitted that there is a proposal to invoke Tamil Nadu Act 14 of 1982 against the petitioners herein.

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4.I went through the contents of the FIR, it is so obvious that it is a put up case. However, this observation is made only for the purpose of granting relief in this case.

5.The petitioner's counsel gives an undertaking, on instructions, that this will not be taken advantage in any other proceedings.

6. Taking note of the facts and circumstances of this case, I am inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only)each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Papanasam, Thanjavur District.

(ii) the petitioners 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 the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
31/01/2020

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

TO

1 THE JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR DISTRICT.

2 -DO-THRO- THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT

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5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.JAMEEL ARASU, Advocate(SR-2028 dated 31/01/2020)

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ORDER
IN
CRL OP(MD) No.1628 of 2020
Date :31/01/2020

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