



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

Date : 06/02/2020

PRESENT

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

CRL OP(MD). No.2042 of 2020

Pachai Perumal

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Ottapidaram Police Station,
Tuticorin District.
Crime No.155/2019

... Respondent/Complainant

For Petitioner : M/s.S.Senthil Sankara Nathakumar,
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. 155 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 16.01.2020 for the offences punishable under sections 294(b), 324, 307 of I.P.C., in Crime No.155 of 2019 on the file of the respondent police. He seeks bail.

3. The occurrence took place in the context of the recently concluded local body elections.

4.The learned Government Advocate (Crl.side) opposed the grant of bail by pointing out that as a related incident, a murder has also taken place.

5.The fact remains that the petitioner was also injured in the occurrence and he was in hospital for more than two weeks. Apart from the occurrence case, the petitioner is not having any previous



case. Investigation is primarily based on eye witness account. Therefore, grant of bail to the petitioner will not affect the cause of investigation. Hence, bail is granted.

6. 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, Vilathikulam.

(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/-
06/02/2020

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

TO

- 1.THE JUDICIAL MAGISTRATE, VILATHIKULAM.
- 2.THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3.THE INSPECTOR OF POLICE,
OTTAPIDARAM POLICE STATION, TUTICORIN DISTRICT.
- 4.THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SENTHIL SANKARA NATHAKUMAR Advocate SR.No.2437

ORDER
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