



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.2030 of 2020

Masanasamy

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
(Crime No.156 of 2019)

... Respondent/Complainant

For Petitioner : M/s.A.Thiruvadi Kumar,
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.156 of 2019 on the file of the respondent police.

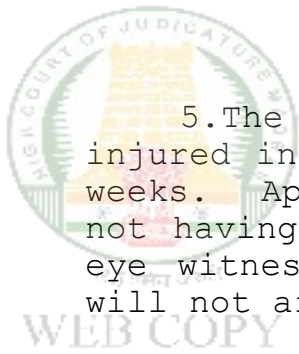
ORDER : The Court made the following order :-

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 27.01.2020 for the offences punishable under sections 147, 148, 294(b), 323, 324 and 307 of I.P.C., in Crime No.156 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) points out that some of the accused in the case are still absconding and he opposed the grant of bail by pointing out that as a related incident, a murder has also taken place and that the petitioner herein is ~~figuring as principal accused therein.~~



5.The fact remains that the petitioner was also obviously injured in the occurrence and he was in hospital for more than two weeks. Apart from the occurrence related cases, 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. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL JAIL, PERURANI.
4. THE INSPECTOR OF POLICE,OTTAPIDARAM POLICE STATION,
THOOTHUKUDI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC to M/s.A.THIRUVADIKUMAR, Advocate (SR-2438[I] dated 06/02/2020)

ORDER IN
CRL OP(MD) No.2030 of 2020
Date :06/02/2020

MS/PN/SAR-2/06.02.2020/2P.7C