



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

Date : 11/02/2020

PRESENT

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

CRL OP(MD). No.2359 of 2020

M.Ramar

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Elumalai Police Station,
Madurai District.
Crime No.8/2019.

... Respondent/Complainant

For Petitioner : M/s.T.Villavankothai,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

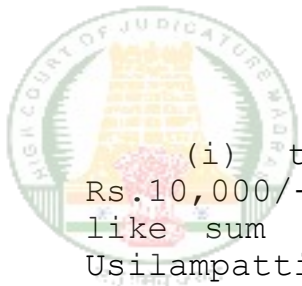
for bail in Crime No. 8 of 2019 on the file of the respondent police

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 12.01.2019 for the offences under Sections 294(b) and 302 of I.P.C., in Crime No.8 of 2019 on the file of the respondent police. Hence, he seeks bail.

3. It is not in dispute that the case has already been committed to Sessions Court and the trial is to be taken up shortly. The petitioner is alleged to have murdered his own wife due to some petty quarrel. Since the petitioner will have to necessarily prepare for trial, his continued incarceration may affect that right. The petitioner is aged about around 80 years. Therefore, 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 Judicial Magistrate No.II, Usilampatti.

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(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/-
11/02/2020

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

TO

1.THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI.

2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4.THE INSPECTOR OF POLICE,
ELUMALAI POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.T.VILLAVANKOTHAJI Advocate SR.No.2849

ORDER
IN
CRL OP(MD) No.2359 of 2020
Date :11/02/2020

IAS
TK/VR/SAR.1/11.02.2020/2P/7C