



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.2547 of 2020

1. Sengammal
2. Anjaneyar
3. Andavar

... Petitioners/1 to 3 Accused

Vs

State Rep.by
The Inspector of Police,
Thuvakkudi Police Station,
Trichy District.
(Crime No.254/2019)

... Respondent

For Petitioners : M/s.K.Palmurugan,
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. 254/2019 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 28.01.2020 for the offences under Section 420 of I.P.C. in Crime No.254 of 2019 on the file of the respondent police. Hence, they seek bail.

3. It is seen that the petitioners have played black magic on the defacto complainant and made her part with valuable jewellery. Following the arrest of the petitioners, they were recovered.

4. The petitioners' counsel on instructions gives an undertaking that after the petitioners come out on bail will file an



affidavit before the Court below that they will no longer indulge in black magic. If this undertaking is breached, this Court will not hesitate to commit them into custody once again.

5. Subject to this undertaking, 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 Judicial Magistrate No.VI, Trichy 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/-
13/02/2020

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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.VI, TRICHY DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT, CENTRAL JAIL, TRICHY.
4. THE OFFICER INCHARGE, MAHALIR JAIL, TRICHY.
5. THE INSPECTOR OF POLICE,
THUVAKKUDI POLICE STATION, TRICHY DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.PAL MURUGAN, Advocate (SR-3078[I] dated 13/02/2020)

ORDER
IN
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