



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/02/2020

PRESENT

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

CRL OP(MD) . No.2548 of 2020

N.Mari

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
Crime No.46/2020.

... Respondent/Complainant

For Petitioner : M/s.M.Mohamed Sherbudeen,
Advocate.

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

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

PRAYER :-

for bail in Crime No. 46 of 2020 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 29.01.2020 for the offences under Section 294(b), 448, 323 and 506(i) of I.P.C. r/w. Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.46 of 2020 on the file of the respondent police. Hence, he seeks bail.

3. The petitioner's counsel on instructions gives an undertaking that the petitioner will totally keep off from the defacto complainant and he will file an affidavit before the Court below in this regard after he comes out on bail. If this undertaking is breached, this Court will not hesitate to cancel the bail now granted.



4. Subject to this undertaking, 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 Additional Mahila Court, Ramanathapuram.

(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/-
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 ADDITIONAL MAHILA JUDGE, RAMANATHAPURAM.
2. THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION, RAMANATHAPURAM DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT PRISON,
RAMANATHAPURAM.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.MOHAMED SHARBUDEEN, Advocate (SR-3079[I] dated 13/02/2020)

ORDER
IN
CRL OP(MD) No.2548 of 2020
Date :13/02/2020

MS/PN/SAR-3/13.02.2020/2P.6C