



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

Date : 14/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.2608 of 2020

Shanmugasundaram

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
Crime No.154/2019

... Respondent/Complainant

For Petitioner : M/s.A.Thiruvadi Kumar,
Advocate.

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

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

PRAYER :-

For Bail in Crime No. 154/2019 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 08.01.2020 for the offences punishable under sections 147, 148, 341, 294(b) and 302 of I.P.C., in Crime No.154 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner is not having any previous case. He is aged about 65 years. I had granted anticipatory bail for A1 and bail for co-accused. There is also a serious doubt as regards the very genesis of the occurrence. The video, that is being circulated in the social media, seems to cast considerable doubt on the version projected in the FIR. The overt act attributed to the petitioner is that he kicked the deceased. Hence, I am inclined to grant relief to the petitioner. Bail is granted.



4. 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/-
14/02/2020

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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,
THOOTHUKUDI DISTRICT
- 3.THE INSPECTOR OF POLICE,
OTTAPIDARAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4.THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.3182

ORDER
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TK/VR/SAR.2/14.02.2020/2P/7C