



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/02/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.3173 of 2020

Nallasamy

... Petitioner/1st Accused

Vs

State Rep.by
The Inspector of Police,
Edayakottai Police Station,
Dindigul District.
(Crime No.4 of 2020)

... Respondent/Complainant

For Petitioner : M/s.D.Venkatesh, Advocate.
For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)
For Intervenor : Mr.K.Sathish Kumar, Advocate

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

PRAYER :-

For Bail in Crime No.4 of 2020 on the file of the Respondent Police.

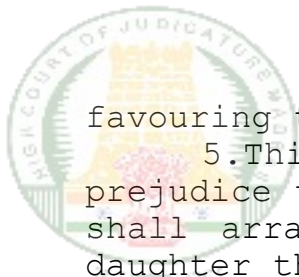
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, learned counsel appearing for the intervenor and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 19.01.2020 for the offences punishable under sections 447, 294(b), 307 of I.P.C., in Crime No.4 of 2020 on the file of the respondent police. He seeks bail.

3. The petitioner's daughter got married to the victim against the wishes of the petitioner. This is said to be the motive for the occurrence. The petitioner's wife was granted anticipatory bail by me on paying a sum of Rs.25,000/-.

4. The petitioner's counsel states that at the time of executing the sureties, a demand draft for a sum of Rs.75,000/-



favouring the petitioner's daughter will be enclosed.

5.This will be a non refundable payment. This will be without prejudice to the petitioner's defence in the trial. The Court below shall arrange to hand over the said payment to the petitioner's daughter through the respondent police.

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6. Subject to this condition, 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 learned Judicial Magistrate, Oddanchatram.

(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/-
21/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, ODDANCHATRAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL, DINDIGUL.
4. THE INSPECTOR OF POLICE,
EDAYAKOTTAI POLICE STATION, DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.VENKATESH, Advocate (SR-3760[I] dated 21/02/2020)
+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-3779[I] dated 21/02/2020

ORDER IN
CRL OP(MD) No.3173 of 2020
Date :21/02/2020