



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/02/2020

PRESENT

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

CRL OP(MD) . No.3152 of 2020

NEETHIPATHI

... PETITIONER/1st ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR, THANJAVUR DISTRICT,
CRIME NO.432/2019.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.R.Murugan,
Advocate.

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

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

PRAYER :-

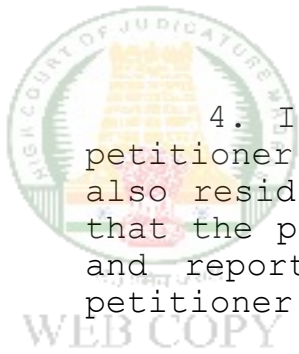
For Bail in Crime No.432 of 2019 on the file of the respondent police.

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 16.12.2019 for the offences punishable under sections 294(b), 302 and 109 of I.P.C., in Crime No.432 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner's family and the family of the deceased are having some land dispute. The petitioner is said to have given a single blow on the deceased which fell on his left cheek. As a result, the father of the defacto complainant died.



4. I am of the view that the continued incarceration of the petitioner may not be necessary. Since the family of the victim is also residing in the same locality, the petitioner's counsel states that the petitioner will stay at Vallam for a period of eight weeks and report before the local station daily at 08.00 a.m. The petitioner shall not enter his locality for a period of eight weeks.

5. The petitioner's counsel gives an undertaking that the petitioner will not apply for modification or relaxation of this condition.

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 Court No.2, Thanjavur, Thanjavur District.

(ii) the petitioner will stay at Vallam for a period of eight weeks and report before the local station daily at 08.00 a.m. The petitioner shall not enter his locality for a period of eight weeks.

(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.

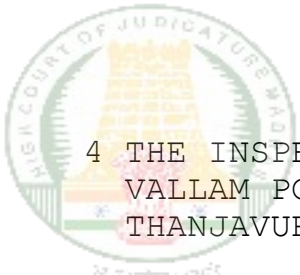
TO

1 THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
THANJAVUR TALUK POLICE STATION,

<https://hcservices.mca.gov.in/hcservices>



4 THE INSPECTOR OF POLICE,
VALLAM POLICE STATION,
THANJAVUR DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

+1 CC to M/s.R.MURUGAN, Advocate (SR-3676[I] dated 21/02/2020)

ORDER

IN

CRL OP(MD) No.3152 of 2020

Date :21/02/2020

RMI

JM/VR/SAR 3/21.02.2020/3P/8C