



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

Date : 28/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.3117 of 2020

1.Sunil Alfred
2.V.M.Glittusjoe
3.Jeenno

... Petitioners/Accused
Nos.2 to 4

Vs

The State rep.by
The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
Crime No.477 of 2019

... Respondent/Complainant

For Petitioners : M/s.F.Deepak,
Advocate.

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

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

PRAYER :-

for Bail in Crime No.477 of 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 arrayed as accused Nos.2 to 4. The first petitioner was arrested and remanded to Judicial Custody on 04.01.2020, the second petitioner was arrested and remanded to judicial custody on 06.01.2020 and the third petitioner was arrested and remanded to judicial custody on 07.01.2020 for the offence punishable under section 302 of I.P.C., in Crime No.477 of 2019 on the file of the respondent police. They seek bail.

3. The motive appears to be the illicit intimacy of the mother of the first accused. The first accused has since been arrested. The petitioners are said to be friends of the first accused. The investigation appears to have been substantially concluded.



4. It is made clear that granting relief to the petitioners cannot be taken advantage by the first accused.

5. In view of the above, 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) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Eraniel, Kanyakumari 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/-
28/02/2020

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

TO

- 1.THE JUDICIAL MAGISTRATE, ERANIEL, KANNIYAKUMARI DISTRICT.
- 2.THE CHIEF JUDICIAL MAGISTRATE
KANNIYAKUMARI DISTRICT AT NAGERCOIL
- 3.THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION, KANYAKUMARI DISTRICT.
- 4.THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.F.DEEPAK Advocate SR.No.4378

ORDER
IN
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Date :28/02/2020