



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

Date : 28/02/2020

PRESENT

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

CRL OP(MD). No.3163 of 2020

C.Kanagaraj

... Petitioner/Accused No.4

Vs

The State rep.by
The Inspector of Police,
Thalamuthu Nagar Police Station,
Tuticorin District.
Crime No.24/2020

... Respondent/Complainant

For Petitioner : Mr.G.Prabhu Rajadurai,
for M/s.C.Susi Kumar.

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.24/2020 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 arrayed as accused No.4. He was arrested and remanded to Judicial Custody on 29.01.2020 for the offences punishable under sections 341, 342, 324, 294(b), 307, 302 and 506 (ii) of I.P.C., in Crime No.24 of 2020 on the file of the respondent police. He seeks bail.

3. The prosecution case is that the petitioner restrained the deceased from escaping and that he facilitated the first accused to commit murder. Accused Nos.1 to 3 killed the deceased. The petitioner was a driver of the first accused. The petitioner is not having any previous case.

4. Taking note of the fact that the limited role played by the petitioner herein, 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 Judicial Magistrate No.II, Tuticorin.

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(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/-
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 NO.II, TUTICORIN.
 - 2.THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
 - 3.THE INSPECTOR OF POLICE,
THALAMUTHU NAGAR POLICE STATION,
TUTICORIN DISTRICT.
 - 4.THE SUPERINTENDENT,
CENTRAL PRISON PALAYAMKOTTAI.
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.SUSI KUMAR Advocate SR.No.4561

ORDER
IN
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Date :28/02/2020

TK/VR/SAR.2/28.02.2020/2P/7C