



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/03/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.3665 of 2020

Thangaraj ... Petitioner/14th Accused

Vs

State Rep.by
The Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.39 of 2020)

... Respondent/Complainant

For Petitioner : M/s.S.C.Herold Singh,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

for Bail in Crime No.39 of 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 in custody since 05.02.2020 for the offences under Sections 147, 148, 294(b), 324, 307, 302 and 506(ii) of IPC in Crime No. 39 of 2020 on the file of the respondent police. He seeks bail.

3. The occurrence had took place on 27.01.2020. The petitioner's involvement came to light only from the confession of the main accused. The petitioner is also said to have assaulted the victim with a wooden log. The petitioner is aged about 60 years. The petitioner is not having any previous case. Investigation also appears to have substantially concluded.

4. Taking note of the age and other aspects of the petitioner, <https://hcservices.ecourts.gov.in/hcservices/> in view of the fact that the continued incarceration of the petitioner



is not going to serve any purpose. 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, Periyakulam.

(ii) the petitioner is directed to appear before the respondent police as and when required for 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/-
10/03/2020

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, PERIYAKULAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL,
KANAVILAKU, THENI DISTRICT.
4. THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION, THENI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-5062[I] dated
10/03/2020)

ORDER
IN
CRL OP(MD) No.3665 of 2020
Date :10/03/2020

MS/VR/SAR-3/10.03.2020/2P.7C

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