



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

Date : 16/03/2020

PRESENT

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

CRL OP(MD). No.3658 of 2020

M.AJITH KUMAR

... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
(CRIME NO.59 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.R.Shankar Ganesh,
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. 59 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 31.01.2020 for the offences under Sections 294(b), 324, 506(ii) and 307 of I.P.C. in Crime No.59 of 2020 on the file of the respondent police. Hence, he seeks bail.

3. The victim/Vasanthi has since been discharged from the hospital. I am of the view that the continued incarceration of the petitioner is not going to serve any purpose.

4. The case involves attack on unarmed women. The petitioner's counsel on instructions states that the petitioner will not come in contact with the victims. If this undertaking is breached, it will be open to the prosecution to file a petition for cancellation of bail and this Court will not hesitate to cancel the relief now granted and commit him to custody.



5. Subject to these conditions, 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.I, Sivagangai.

(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/-
16/03/2020

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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.I,
SIVAGANGAI.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION.
- 4 THE OFFICER INCHARGE,
SUB JAIL, SIVAGANGAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SANKAR GANESH, Advocate (SR-5290[I] dated 16/03/2020)

ORDER
IN
CRL OP(MD) No.3658 of 2020
Date :16/03/2020

IAS
JM/VR/SAR 1/16.03.2020/2P/7C

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