



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.3547 of 2020

Vignesh Kumar @ Vinesh Kumar ... Petitioner/Accused No.8

Vs

The State rep.by
The Inspector of Police,
South Gate Police Station,
Madurai City.

Crime No.165 of 2019. ... Respondent/Complainant

For Petitioner : M/s.M.Jegadeesh Pandian,
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.165 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 arrayed as accused No.8. He was arrested and remanded to Judicial Custody on 21.02.2020 for the offences punishable under sections 341, 302, 506(ii) of I.P.C. @ Sections 147, 148, 341, 302, 506(ii), 120(B), 109 and 201 of I.P.C., in Crime No.165 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner had earlier moved this Court for anticipatory bail and the matter was argued at great length. This Court indicated that considering the role played by the petitioner herein, he has to surrender and apply for regular bail.

4. The learned Government Advocate(Crl. Side) states that the petitioner has since surrendered. He was not taken to police custody. However, she would further states that final report has already been filed and cognizance of the offence was taken by the



jurisdictional Magistrate. Therefore, continued incarceration of the petitioner is not going to serve any purpose.

5. Taking note of the facts and circumstances of this case, 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 No.IV, Madurai.

(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 IV, MADURAI.
- 2.THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION, MADURAI CITY.
- 4.THE SUPERINTENDENT,CENTRAL PRISON, MADURAI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.4345

ORDER
IN
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Date :28/02/2020

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