



WEB COPY

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

Date : 09/03/2020

PRESENT

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

CRL OP(MD) . No.4233 of 2020

SHANAVAS @ MOHAMMED ABDUL KHADER ... PETITIONER/ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.370/2018).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.S.Sivakumar,
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.370 of 2018 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 05.12.2019 for the offences punishable under sections 457(2) and 380(2) of I.P.C., in Crime No. 370 of 2018 on the file of the respondent police. He seeks bail.

3. The learned Government Advocate states that final report has been filed in this case and cognizance of the offences has been taken.



4. The learned counsel for the petitioner states that till the trial is over, the petitioner will appear twice before the respondent police daily at 8.00 a.m., and again at 8.00 p.m. He further undertakes that till the trial is over, he will not apply for modification or relaxation of the conditions now imposed. That apart, the petitioner will appear before the Court below on all the hearing dates. He will not apply for exemption from personal appears for any reason.

5. Subject to this condition, 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.1, Kuzhithurai.

(ii) the petitioner is directed to appear before the respondent police daily at 8.00 a.m., and again at 8.00 p.m., till the trial is over.

(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/-
09/03/2020

/ TRUE COPY /

/ /2020

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.

3 THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,

<https://hcservicelibrary.com/ReserveDes>
KANNIYAKUMARI DISTRICT.



4 THE OFFICER INCHARGE,
DISTRICT JAIL, NAGERCOIL.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SIVAKUMAR, Advocate (SR-4996[I] dated 09/03/2020)

ORDER
IN
CRL OP(MD) No.4233 of 2020
Date :09/03/2020

PNN
JM/PN/SAR 2/09.03.2020/3P/7C