



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.3601 of 2020

V.Prince

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Kollemcode Police Station,
Kanyakumari District.
(Crime No.28 of 2020)

... Respondent/Complainant

For Petitioner : M/s.M.R.Sreenivasan,
Advocate.

For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.28 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 09.02.2020 for the offences punishable under sections 294(b), 323, 307, 506(ii) of I.P.C., in Crime No.28 of 2020 on the file of the respondent police. He seeks bail.

3. The case of the prosecution is that the victim was badly assaulted by the accused.

4.The petitioner's counsel would contend that the victim created a big nuisance in the marriage party and that is why, the occurrence had taken place. The victim has since been discharged.



5.I had granted anticipatory bail to some of the co-accused.

6. 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.II, Kuzhithurai.

(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/-
27/02/2020

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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, KUZHITHURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE OFFICER INCHARGE, SUB JAIL, KUZHITHURAI.
4. THE INSPECTOR OF POLICE,
KOLLEMCODE POLICE STATION, KANYAKUMARI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.R.SRINIVASAN, Advocate (SR-4275[I] dated 27/02/2020)

ORDER
IN
CRL OP(MD) No.3601 of 2020
Date :27/02/2020

MS/PN/SAR-3/27.02.2020/2P.7C

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