



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/03/2020

PRESENT

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

CRL OP(MD) . No.4167 of 2020

John Baby ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Thiruvattar Police Station,
Thiruvattar,
Kanyakumari District.
(In Crime No. 253/2019). ... Respondent/Complainant

For Petitioner : M/s.M.Suri,
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.253 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

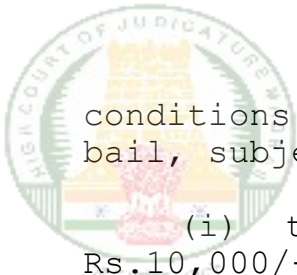
Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 18.11.2019 for the offences punishable under sections 294(b), 324, 326A and 506(2) of I.P.C., in Crime No. 253 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner's counsel points out that the committal proceedings are over. He would also contend that in order to ensure fair trial for the petitioner, he has to be let out.

4. I find the said request to be reasonable.

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 Judicial Magistrate No.II, Padmanabhapuram, Kanniyakumari District.

(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/-
05/03/2020

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, PADMANABHAPURAM,
KANNIYAKUMARI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT AT NAGERCOIL.
3. THE OFFICER INCHARGE, DISTRICT JAIL,
KANNIYAKUMARI DISTRICT AT NAGERCOIL.
4. THE INSPECTOR OF POLICE, THIRUVATTAR POLICE STATION,
THIRUVATTAR, KANNIYAKUMARI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.SURI, Advocate (SR-4785[I] dated 05/03/2020)

ORDER
IN
CRL OP(MD) No.4167 of 2020
Date :05/03/2020

MS/VR/SAR-3/05.03.2020/2P.7C

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