



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/03/2020
PRESENT

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

CRL OP(MD) . No.4409 of 2020

K.Rajalingam

... Petitioner/Accused No.11

Vs

The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District
Crime No.29/2020

... Respondent/Complainant

For Petitioner : M/s.G.Thalaimutharasu,
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.29 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 29.01.2020 for the offences punishable under sections 147, 148, 341, 302 and 506(ii) of I.P.C., in Crime No.29 of 2020 on the file of the respondent police. He seeks bail.

3. All the accused in this case have been arrested. The petitioner has not played any actual part in the crime. He has only been present and prevented others from coming to rescue of the victim.



4.The learned Government Advocate (Crl.side) pointed out the bad antecedents of the petitioner. It is true that the petitioner is having 10 cases, but some of them are rather political in nature.

5.His continued incarceration may not serve any purpose.

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 Judicial Magistrate, Rajapalayam.

(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/-
20/03/2020

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
RAJAPALAYAM

2 THE CHIEF JUDICIAL MAGISTRATE
RAJAPALAYAM @ VIRUDHUNAGAR

3 THE SUPERINTENDENT,
CENTRAL JAIL PRISON, MADURAI.

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



4 THE INSPECTOR OF POLICE
THALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT

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

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.5608

ORDER
IN
CRL OP(MD) No.4409 of 2020
Date :20/03/2020

ME/JC/SAR 3/20.03.2020/3P/7C