



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/03/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.4843 of 2020

Pavithran @ Bavithran

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
Crime No.17 of 2020.

... Respondent/Complainant

For Petitioner : M/s.K.Navaneetharaja,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

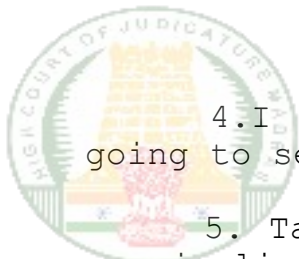
To enlarge the Petitioners on bail in Cr.No.17 of 2020 on the file of the Respondent police and pass appropriate order to fit and proper of the Hon'ble Court.

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 13.01.2020 for the offence punishable under section 307 of IPC @ 302 of I.P.C., in Crime No.17 of 2020 on the file of the respondent police. He seeks bail.

3. The case of the prosecution is that the petitioner caused a death of the victim by dashing his auto against the two wheeler, in which, the victim was the pillion driver. The case was initially registered under Section 307 of IPC. Following the death of the victim, it was altered to one Section 302 of IPC. Investigation appears to have substantially concluded. The petitioner is not having any previous case.



4.I am of the view that his continued incarceration 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 Judicial Magistrate No.II, Ramanathapuram.

(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/-
19/03/2020

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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, RAMANATHAPURAM.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 3. THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION, RAMANATHAPURAM DISTRICT.
 4. THE OFFICER INCHARGE, DISTRICT JAIL, RAMANATHAPURAM DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.NAVANEETHARAJ, Advocate (SR-5513[I] dated 19/03/2020

ORDER
IN
CRL OP(MD) No.4843 of 2020
Date :19/03/2020