



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/06/2020

PRESENT

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

WEB COPY

CRL OP(MD) . No.5611 of 2020

Marimuthu ... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Soolakarai Police Station,
Virudhunagar District.
Crime No.133 of 2020 ... Respondent/Complainant

For Petitioner : Mr.AK.Azagarsami, 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. 133 of 2020 on 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.

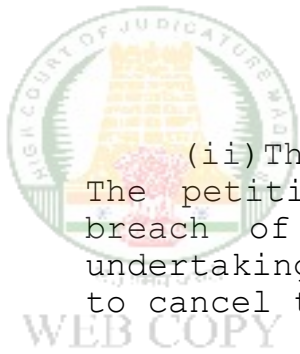
2.The petitioner is in custody since 19.05.2020 for the offences punishable under Sections 294(b), 324, 354, 307, 506(ii) IPC and Section 4 of TNPWH Act and seeks bail.

3.The petitioner along with co-accused had caused serious injuries to the victim. The victim was in hospital from 18.05.2020 till 24.05.2020.

4.The learned Government Advocate (Crl.Side) appearing for the respondent states that the petitioner is having two previous cases.

5.The learned counsel appearing for the petitioner gives following two undertakings.

(i)The petitioner will take a Demand Draft for a sum of Rs.10,000/- (Rupees Ten Thousand Only) favouring the victim and enclose the same along with the petition to furnish sureties. This will be an unconditional payment but it will be without prejudice to the petitioner's defence in the trial.



(ii)The petitioner and the victim hail from the same locality. The petitioner gives undertaking that he will not give rise to breach of peace in future. It is made clear that if the undertaking to keep peace is breached, this Court will not hesitate to cancel the bail now granted to the petitioner herein.

6.Recording these two undertakings, 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 Court No.II, Virudhunagar;

(ii)the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii)on breach of any of the aforesaid conditions, the 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 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/-
09/06/2020

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

ORDER
IN
CRL OP(MD) No.5611 of 2020
Date :09/06/2020

MS/PN/SAR-3/09.06.2020/2P.6C

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