



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09/06/2020

PRESENT

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

CRL OP(MD). No.5605 of 2020

1. SIVAKUMAR
2. VIJIN

... PETITIONERS 1 & 2/ACCUSED NOS.5 & 6

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THUCKALAI POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 628 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.M.R.Sreenivasan,
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.628 of 2020 on the respondent police

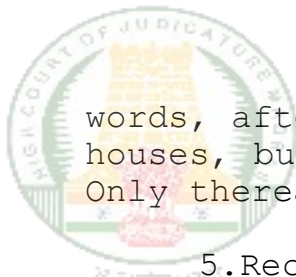
ORDER : The Court made the following order :-

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

2.The petitioners are in custody since 17.05.2020 for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Woman Harassment Act, 2002 and seek bail.

3.The co-accused were granted bail on 08.06.2020. The petitioners are placed on the same footing. Since the case pertains to group clash, I had directed the co-accused to stay at Nagercoil.

4.The learned counsel appearing for the petitioners states that the co-accused would also abide by the same condition. In other



words, after coming out from the jail, they will not return to their houses, but go straight to Nagercoil and stay there for four weeks. Only thereafter, they will return to their native places.

5. Recording the said undertaking, I am inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two common sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Padmanabhapuram;

(ii) the petitioners are 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
PADMANABHAPURAM
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
THUCKALAI POLICE STATION,
KANYAKUMARI.



4 THE OFFICER INCHARGE,
KANYAKUMARI DISTRICT JAIL AT NAGERCOIL.

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

WEB COPY

ORDER
IN
CRL OP(MD) No.5605 of 2020
Date :09/06/2020

MYR
JM/PN/SAR 2/09.06.2020/3P/6C