



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

DATE: 12/06/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
CRL OP(MD) No.5712 of 2020

WEB COPY

1 MAHENDRAN @MASI MAHENDRAN

2 PONSUKIL RAM

... PETITIONERS / ACCUSED NO.8 & 12

Vs

THE STATE REP. BY ITS
THE INSPECTOR OF POLICE
KENIKKARAI POLICE STATION, KENIKKARAIL,
RAMNAD DISTRICT.
(CRIME NO. 111 OF 2020)

... RESPONDENT / COMPLAINANT

For Petitioner : M/s.K.Jeyaseelan, 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.111 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

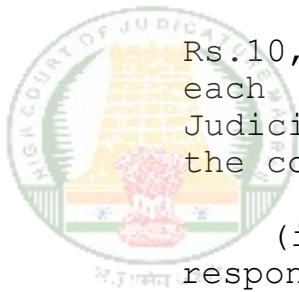
Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners are arrayed as accused Nos.8 and 12. They were arrested and remanded to Judicial Custody on 14.03.2020 and 15.03.2020 respectively for the offences punishable under sections 174 of Cr.P.C. altered into 147, 148, 341, 364, 323, 324, 201, 120 (B) and 302 of I.P.C., in Crime No.111 of 2020 on the file of the respondent police. They seek bail.

3. It is informed that the fifth accused has been granted regular bail by the Court below. It is also seen that 90 days have since elapsed in the petitioners' case also.

4. Taking note of these aspects, I am inclined to enlarge the petitioners on bail with certain conditions. However, I make it clear that it will not be open to the co-accused to place reliance on this bail order. The petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners shall be released on own bond by the Magistrate without insisting on sureties. However, the petitioners are directed to 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 No.II, Ramnad, Ramnad District, after the concerned Court is reopened.

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

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(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/-

12/06/2020

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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.II, RAMNAD
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM
- 3 THE INSPECTOR OF POLICE
KENIKKARAI POLICE STATION, KENIKKARAIL,
RAMNAD DISTRICT.
- 4 THE SUPERINTENDENT, DISTRICT PRISON, RAMNAD DIST
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER

IN

CRL OP (MD) No.5712 of 2020

Date : 12/06/2020

SMA/SKN/SAR-II/15/06/2020/2P/6C