



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

Date : 12/06/2020

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PRESENT

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

CRL OP(MD) . No.5796 of 2020

Moomin Ali

... Petitioner/Accused No.9

Vs

The State rep. by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(In Crime No.188 of 2020)

... Respondent/Complainant

For Petitioner : M/s.M.Ajmal Khan,
Senior counsel for Ajmal Associates,

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

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

PRAYER :-

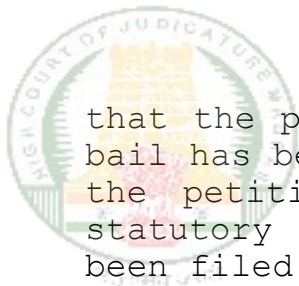
For Bail in Crime No. 188 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

2. The petitioner is arrayed as A9. He was arrested and remanded to Judicial Custody on 09.04.2020 for the offences punishable under sections 269, 278, 188, 270 and 271 of I.P.C and Section 3 of Epidemic Disease Act and Sections 58(4), 134 and 135 of Tamil Nadu Public Health Act and 51(b) of National Disaster Management Act in Crime No.188 of 2020 on the file of the respondent police. He seeks bail.

<https://hcservices.courts.gov.in/hcservices/> 3. The learned senior counsel for the petitioner pointed out



that the petitioner is on the same footing of A-10 in whose favour bail has been granted by this Court. He would further contend that the petitioner was arrested on 09.04.2020 and that even though statutory period of sixty days got expired, final report has not been filed.

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4. Therefore, I am of the view that the petitioner is entitled for default bail. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall be released on own bond by the Magistrate without insisting on sureties. However, the petitioner is 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, Ramanathapuram, after the concerned Court is reopened on regular basis.

(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/-
12/06/2020

/ TRUE COPY /

/ /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,
RAMANATHAPURAM.

2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.mca.gov.in/HCServices>



3. THE SUPERINTENDENT,
PULAL CENTRAL PRISON,
CHENNAI.

4. THE INSPECTOR OF POLICE,
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER

IN

CRL OP (MD) No.5796 of 2020

Date :12/06/2020

PM

SRS/ VR/ SAR-II/ 15.06.2020/ 3P/6C