



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

Date : 12/06/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.6087 of 2020

1. Mohammed Ali
2. Hak @ Abdul Hak
3. Aibu @ Aibukhan

... Petitioners/Accused No.1,2&4

Vs

State rep. by
The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.
In Crime.No. 122 of 2020.

... Respondent/Complainant

For Petitioner : M/s. B.Anandan,
Advocate.

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

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

PRAYER :-

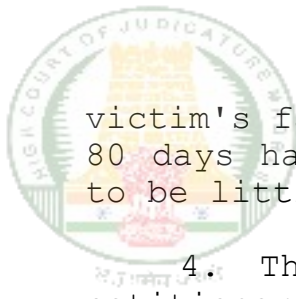
For Bail in Crime.No. 122 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

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

2. The petitioners are arrayed as accused Nos.1,2 and 4. They were arrested and remanded to Judicial Custody on 24.03.2020 for the offences punishable under sections 147, 148, 294(b), 341 and 302 of I.P.C., in Crime No.122 of 2020 on the file of the respondent police. They seek bail.

<https://hcservices.ecourts.gov.in/hcservices/> 3. For a very petty reason, the victim was done to death. The



victim's father is said to have witnessed the occurrence. More than 80 days have elapsed. The prospect of filing final report appears to be little remote before the expiry of the statutory period.

4. The petitioners' counsel gives an undertaking that the petitioners would stay at Trichy and report before the Cantonment police station daily at 7.00 p.m. for a period of eight weeks. They will not enter into Thanjavur limits during the period of two months. He also gives an undertaking that the petitioners will not apply for modification and relaxation of this condition.

5. Recording the said undertaking given by the petitioners, 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 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, Pattukottai, after the concerned Court is reopened.

(ii) the petitioners are directed to report before the Cantonment police station daily at 7.00 p.m. for a period of eight weeks and thereafter, 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/-
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,
PATTUKOTTAI.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KUMBAKONAM AT THANJAVUR DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.
4. THE INSEPCTOR OF POLICE,
CANTONMENT POLICE STATION,
TRICHY.
5. THE INSPECTOR OF POLICE,
PATTUKKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.6087 of 2020
Date :12/06/2020

PMU
SRS/ VR/ SAR-II/ 15.06.2020/ 3P/7C