



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

Date : 11/06/2020

PRESENT

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

CRL OP(MD). No.5894 of 2020

WEB COPY

1. Alisbar @ Pararish

2. Marijan @ Akjeri

... Petitioners/Accused No.1&2

Vs

The state rep by
The Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
(Cr.No.121 of 2019)

... Respondent/Complainant

For Petitioner : M/s. K.M.Karunakaran,
Advocate.

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

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

PRAYER :-

To enlarge the petitioners on bail in connection with Cr.No.121 of 2020 on the file of the respondent police and pass such other orders as this Honble Court.

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 19.03.2020 for the offences punishable under Sections 380 and 420 IPC, in Crime No.121 of 2020 on the file of the respondent police and seek bail.

3.Since final report has not been filed, the petitioners are entitled to compulsive bail. Hence, 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 are Iranian Citizens. Therefore, they will not be in a position to arrange local sureties. Therefore, the petitioners shall be released on own bond by the Magistrate without insisting on sureties. There is no need for the petitioners to furnish any surety;



(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/-
11/06/2020

/ 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.

myr
TO

1 THE JUDICIAL MAGISTRATE NO.I
THANJAVUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT.

3 THE SUPERINTENDENT,
PUZHAI PRISON, CHENNAI.

4 THE INSPECTOR OF POLICE
THANJAVUR WEST POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER IN
CRL OP(MD) No.5894 of 2020
Date :11/06/2020

MK RSK SAR-3 (11.06.2020) 2P 6C

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