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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.5997 of 2020

1. Varasunan @ Suren,
2. Arulvasanthan,
3. Mauran,

... Petitioners/Accused Nos.3 to 5

Vs

State through
The Inspector of Police,
Rameswaram Town Police Station,
Rameswaram, Ramanathapuram District.
Crime No.68 of 2020.

... Respondent/Complainant

For Petitioners : M/s.D.Balamurugapandi,
Advocate.

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

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

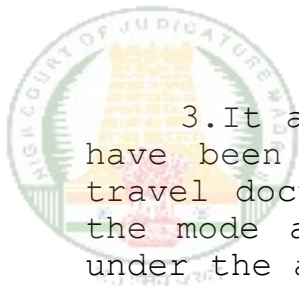
PRAYER :-

For Bail in Cr.no.68 of 2020 in 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 in custody since 18.03.2020 for the offences punishable under Sections 14 of Foreigners Act, 1946 and 12 (1)(a) r/w 3 of Passport Act, 1967 and 120(B) IPC, in Crime No.68 of 2020 on the file of the respondent police and seek bail.



3.It appears that the petitioners are Srilankan Citizens. They have been India for quite sometime. But they did not have valid travel documents. Now, they wanted to go for Srilanka. But then, the mode adopted by them is not proper. That is why, they came under the adverse notice of the respondent.

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4.I am of the view that when the petitioners are Srilankan Citizens and they want to return to native place, the Government ought to arrange for return. In any event keeping them in jail is not warranted. 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 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

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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,
RAMESWARAM, RAMANATHAPURAM DISTRICT.
2. DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL-CHENNAI.



4 THE INSPECTOR OF POLICE,
RAMESWARAM TOWN POLICE STATION,
RAMESWARAM, RAMANATHAPURAM DISTRICT.

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

ORDER

IN

CRL OP(MD) No.5997 of 2020

Date :11/06/2020

MYR

AE/PN/SAR-III (11.06.2020) 3P 6C