



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.6058 of 2020

1. Jeyarammoorthy
2. Arunkumar
3. Moorthy
4. Muthukannan

... Petitioners/Accused No.1,2,3 and 6

Vs

The State rep. by
The Inspector of Police,
Mallan Kinar Police Station,
Virudhunagar District
Cr No.65/2020.

... Respondent/Complainant

For Petitioner : M/s. S.Malaikani,
Advocate.

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

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

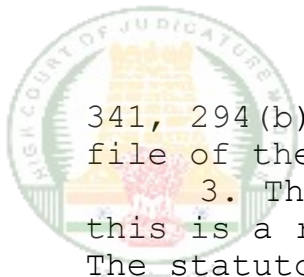
PRAYER :-

For Bail in crime no.65 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.1,2,3 and 6. They were arrested and remanded to Judicial Custody on 16.03.2020 for the offences punishable under sections 120(B),
sections 439 of Cr.P.C.



341, 294(b), 302 and 506(ii) of I.P.C., in Crime No.65 of 2020 on the file of the respondent police. They seek bail.

3. The learned Government Advocate (Crl. Side) pointed out that this is a retaliation murder and hence he opposes the grant of bail. The statutory period is fast approaching and there is no prospect of final report being filed.

4. The petitioners' counsel gives an undertaking that the petitioners will stay at Dindigul District and report before the Dindigul police station daily at 10.00 a.m. for a period of two months. He gives a specific undertaking that they will not enter into Virudhunagar District limits. If this undertaking is breached, I will not hesitate to cancel this bail.

5. Recording the undertaking given by the petitioners that they will stay at Dindigul for a period of two months from the date of their release, 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, Virudhunagar, after the concerned Court is reopened.

(ii) the petitioners are directed to report before the Dindigul police station daily at 10.00 a.m. for a period of two months 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 MAGISTRE
VIRUDHUNAGAR DISTRICT.
- 2 -DO- THRO
THE CHEIF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
MALLAN KINAR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE INSPECTOR OF POLICE
DINDIGUL POLICE STATION,
DINDIGUL.
- 5 THE SUPERINTENDENT OF POLICE,
CENTRAL PRISON,
MADURAI.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6058 of 2020
Date :12/06/2020

PD/JC/SAR 3/15.06.2020/3P/7C